



Posted: Friday, August 08, 2014

NOTICE AND CALL OF A REGULAR MEETING OF THE TRINIDAD CITY COUNCIL

The Trinidad City Council will hold a regular meeting on
WEDNESDAY, AUGUST 13, 2014 at 6:00 PM

- I. **CALL TO ORDER**
- II. **PLEDGE OF ALLEGIANCE**
- III. **ADJOURN TO CLOSED SESSION** -- No closed session scheduled.
- IV. **APPROVAL OF AGENDA**
- V. **APPROVAL OF MINUTES** -- April 09, 2014 cc, May 14, 2014 cc, June 04, 2014 scc
- VI. **COUNCIL MEMBER REPORTS, COMMITTEE ASSIGNMENTS**
- VII. **ITEMS FROM THE FLOOR**
(Three (3) minute limit per Speaker unless Council approves request for extended time.)
- VIII. **CONSENT AGENDA**
1. Financial Status Reports for May & June 2014.
 2. Staff Activities Report June & July 2014.
 3. Law Enforcement Report June & July, 2014
 4. Resolution 2014-11; Retroactive Letter of Support on Illegal Marijuana Grows.
 5. Supplemental Budget for cemetery Plot Plan.
 6. Resolution 2014-10; Acknowledging the public service of residents Stan Binnie and Kim Tays
 7. Letter of Support for AB 1839 – California Film and Television Job Retention and Promotion Act.
 8. Resolution 2014-12; Requesting Participation in Pilot Program for Control of Squatting in Private Residences.
- IX. **DISCUSSION/ACTION AGENDA ITEMS**
1. Discussion/Decision regarding Consideration of Fee Waiver for Removing and Replacement of Murphy's Market permitted marquee sign.
 2. Discussion/Update regarding Draft VDU Ordinance.
 3. Discussion/Decision to Accept Compensation Study Cost Quote.
 4. Discussion/Decision regarding Approval of City Manager Contract.
 5. Discussion/Decision to Appoint Subcommittee to Evaluate and Develop Procedures for Collection and Organization of Citizen Complaints.
- X. **ADJOURNMENT**

APPROVAL OF MINUTES FOR:

APRIL 09, 2014 CC
MAY 14, 2014 CC
JUNE 04, 2014 SCC

Supporting Documentation follows with: _____ 14 PAGES

MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL
WEDNESDAY, APRIL 09, 2014

I. CALL TO ORDER

- Mayor Fulkerson called the meeting to order at 6:00PM. Council members in attendance: West, Miller, Fulkerson, Baker, Davies.
- City Staff in attendance: City Manager Karen Suiker, City Clerk Gabriel Adams, City Engineer Rebecca Crow, City Planner Trever Parker.

II. PLEDGE OF ALLEGIANCE

III. ADJOURNMENT TO CLOSED SESSION

1. Existing/Pending Litigation against the City of Trinidad, Government Code section 54956.9(b) and/or section 54956.95, from the Tsurai Ancestral Society.

IV. RECONVENE TO OPEN SESSION

No report out from closed session.

V. APPROVAL OF AGENDA

*Motion (Miller/Baker) to approve the agenda as amended. **Passed unanimously.***

VI. APPROVAL OF MINUTES – March 12, 2014 cc

*Motion (Davies/West) to approve the minutes as written. **Passed unanimously.***

VII. PROCLAMATIONS – None.

VIII. COMMISSIONERS REPORTS

West: HCAOG Railroad and trails update.

Miller: Nothing to report

Davies: Nothing to report.

Baker: Nothing to report.

Fulkerson: RREDC: Summer flight cancellations are not ACV's fault. Runway construction at SFO is the cause.

IX. ITEMS FROM THE FLOOR

Pat Morales – Trinidad

Read a statement criticizing the city and various policies such as bed tax collection and recovery, along with vacation rental oversight.

Melissa Zarp – Trinidad Chamber of Commerce

Announced the upcoming stormwater collection and treatment infrastructure project meeting held for business Q&A.

IX. CONSENT AGENDA

1. Financial Status Reports for February 2014.
2. Staff Activity Report – March 2014

*Motion (Miller/Davies) to approve the consent agenda. **Passed unanimously.***

X. DISCUSSION AGENDA

1. Introduction of Sheriff Deputy Pamela Wilcox and Law Enforcement Activity Report.
City Manager Suiker welcomed and introduced Deputy Wilcox. Wilcox gave a brief report of her first month on duty and explained how happy she was to be assigned to Trinidad.

Report item only. No decision was made.

2. Discussion/Decision regarding Franchise Agreement for Solid Waste and Recyclable Materials Collection in Trinidad.

City Manager Suiker explained that at the City Council meeting of July 31, 2013, the Council adopted an ordinance to provide for flow control of solid waste within the City limits. Flow control is required to be considered for membership in the Humboldt Waste Management Authority (HWMA). The City Council first adopted a Resolution in 2008 requesting membership consideration into HWMA, and subsequently reaffirmed its desire to join HWMA in January of 2010.

In addition to a demonstration of flow control, membership in HWMA also requires the entity to enter into a franchise agreement with a service provider, and on July 31, 2013 the Council authorized staff to sole source negotiate with Humboldt Sanitation on a franchise agreement to be brought back for council consideration in the future. That agreement has now been prepared and is presented for Council consideration.

The proposed franchise agreement provides for an exclusive contract for collection and transportation of solid waste and recyclable materials in the City of Trinidad for a period of ten (10) years with a five-year renewable option. The agreement provides for the payment of a franchise fee equivalent to nine (9%) of the total gross receipts, less recycling receipts, arising from the Contractor's operations. This is the same arrangement currently in place between the County of Humboldt and Humboldt Sanitation and is expected to generate about \$7,000 annually to the City. The rates charged to customers shall be the same rates as charged to customers under the franchise agreement for the northwestern area of Humboldt County between the County of Humboldt and the Contractor.

Services provided to the City in exchange for the exclusive franchise include the collection of city-generated garbage and recycling at no charge to the city, city staff self-haul of city-generated green waste and city-generated electronic waste, provided collection services are provided at the Contractor's facilities. Additionally, the contractor will provide, at no additional cost, up to two 40-yard bins twice per year to be used for residential green waste pickup, and one bin twice a year for residential bulky waste, to be placed at a mutually beneficial location and staffed by Contractor. Execution of this agreement will complete the requirements to be considered by membership in HWMA.

There was no public comment, and only a brief discussion from Council regarding logistics.

*Motion (Miller/Baker) to authorize the City Manager to execute the attached Franchise Agreement with Humboldt Sanitation. **Passed unanimously.***

2. Discussion/Decision regarding Stormwater Improvement Project Bid Award and Contract for Labor Compliance Services.

City Manager Suiker introduced City Engineer Rebecca Crow. Crow explained that in 2011, the City entered into a \$2.5 million grant funding agreement with the State Water Resources Control Board (SWRCB) to help address polluted stormwater discharges to the Trinidad Bay Area of Special Biological Significance (ASBS). The goal of the Trinidad ASBS Stormwater Improvement Project (the Project) is to reduce polluted stormwater runoff from entering into the ASBS by modernizing the City's stormwater system. The design of the new stormwater system was developed to collect, treat, and infiltrate City stormwater runoff in the upper portion of Trinidad. The Project will help the City meet the requirements of the California Ocean Plan's prohibition of waste discharge into the Kelp Beds at Trinidad Head ASBS.

The project was put out to bid in February 2014 and the City received four bids at Friday March 28, 2014 bid opening. The low bidder at \$1,699,000 for all of the stormwater elements was Wahlund Construction Inc., who is duly licensed and submitted all appropriate paperwork with the bid. The City has \$1,210,100 available in grant funds for construction. GHD confirmed with the SWRCB that no additional grant funds are available for construction and so the City should construct the most valuable improvements within the existing funding.

The Bid documents allow the City to "not award any or all items". Thus, GHD recommends not awarding bid items Nos. 10, 11, 12, and 13 which are the improvements proposed along View Avenue, Hector Street, East

Street, and West Street. Removal of these bid items and reduction of the associated mobilization costs to the contract limit of 8% reduces the low bid project cost to \$1,085,900 which would allow for a contingency of \$124,200 or 11%. Removal of the bid items does not change the low bidder for the project. The components remaining in the project include improvements along Trinity Street and Ocean Avenue, and retain 84% of the original project stormwater reduction benefits during a 50-year storm event.

It is recommended that the City award the contract to Wahlund Construction Inc., and authorize the City Manager to negotiate change orders as may be required throughout the project to address situations as they may arise and to keep the project within available grant funding limits. And, authorize the City Manager to sign the construction contract and issue the notice to proceed once all contract documents from the Contractor have been reviewed, approved, and signed.

In addition, the City needs to implement a Labor Compliance Program (LCP) and retain a Labor Compliance specialist for monitoring. Attached is a scope from North Valley Labor Compliance Services (NVLCS) to perform the required plan development and monitoring services. NVLCS has been used by several local agencies including the Humboldt Bay Municipal Water District.

The LCP requires the City to pass a resolution directing the LCP to be developed and authorizing North Valley Labor Compliance Services to submit the plan to the Department of Industrial Relations. In addition, the City will need to identify a labor compliance attorney in the plan who will work for the City in the rare instance that a contractor refuses to comply with labor laws. The labor compliance attorney would not be engaged in the project or receive any fees unless a prevailing wage issue went to court.

There was no public comment.

Council thanked GHD for their work and expressed excitement to see this project underway.

*Motion (West/Davies) to approve the following recommendations. **Passed unanimously.***

1. *Authorize the City Manager to award the contract to Wahlund Construction Inc. in the amount of \$1,085,900.*
2. *Authorize the City Manager to negotiate change orders as may be required throughout the project to address situations as they may arise and to keep the project within available grant funding limits.*
3. *Authorize the City Manager to sign the construction contract and issue the notice to proceed once all contract documents from the Contractor have been reviewed, approved, and signed.*
4. *Authorize the City Manager to execute a contract with North Valley Labor Compliance Services for labor compliance.*
5. *Adopt the resolution authorizing North Valley Labor Compliance Service to develop and submit the Labor Compliance Program to the Department of Industrial Relations.*
6. *Authorize the City Manager to develop and execute an agreement with a Labor Compliance Attorney for inclusion in the Labor Compliance Program per the Department of Industrial Relation requirements.*

4. Discussion/Decision regarding Draft Vacation Dwelling Unit Ordinance.

City Planner Trever Parker explained that the City Council originally adopted the Vacation Dwelling Unit (VDU) Ordinance in 2011 and submitted it for certification to the Coastal Commission. Since that original ordinance adoption, City staff and Coastal Commission staff have had several discussions and negotiations that resulted in changes to the ordinance. Because of the number and extent of the changes, City staff wanted to bring this back to the City Council for review and concurrence prior to Coastal Commission action. The Council reviewed the amended ordinance on February 19, 2014. Some additional comments and concerns were brought up. A few additional changes to the ordinance have been made to address those comments as well as a fix a couple of typos and minor clarifications.

Only a brief comment was made about the water use restriction, pointing out the fact that it did not provide an allowance for irrigation. Therefore, Parker explained, she altered the language to allow more flexibility, though it will also be somewhat more difficult to enforce. However, with the added oversight of septic systems under the OWTS Management Program, she felt septic systems will be adequately monitored and protected. There was also a question about the definition of a bedroom, and she moved the language regarding determining the allowable number of bedrooms from the water section (6.26.D.3) to the occupancy section (6.26.D.1).

The City Attorney had some concerns about the ambiguity of the language in sections 6.26.D.5, 8, 9 and 10 (Appearance and Visibility, Visitors, Noise and Traffic respectively). He stated that the restriction on visitors between 1am and 4am could be prohibitive in an emergency, and that the issue could be dealt with in other sections. The Attorney was also concerned about the enforceability of the existing language in sections 5, 9 and 10, and suggested altering the language to refer to 'interfering with the quiet use and enjoyment' of other properties and to add the language regarding determining reasonable noise.

Finally, a number of comments centered on the enforcement and violations sections. It appeared that not enough detail had been included to ensure a fair process. Most of the new language was suggested by the City Attorney

The recommended action is to consider concurrence with the proposed changes, after which Coastal Commission staff will present to the Coastal Commission hopefully at their May 2014 meeting and advise that all are in agreement with the proposed amendments. The Coastal Commission action would then be to reject the City's original ordinance, but certify a new ordinance as amended. Then it would come back to the Council for official adoption, first and second reading.

Public comment included:

Susan Rotwein – Trinidad

Opposed to signage requirement because they are controversial, and could compromise the safety and security of the homes they are attached to, arguing they are beacons to criminals. Business license notification process will disclose contact info for the property manager. Signs should be optional.

Jonna Kitchen – Trinidad Retreats

Concerned with a home they represent on Ocean Avenue that has no on-street parking. It is already booked through the summer. Also, none of our comments from the last meeting were incorporated into this new draft, and very concerned with the "negligent" clause and how that could be used by neighbors to frivolously harass the owners/managers.

Mike Reinman – Redwood Coast Vacation Rentals

Maybe the tenants should be cited by the city instead of the property managers? Tenants are subject to laws too. We do weekend drive-by's, and have 24-hour property managers. I agree with Jonna Kitchen with regards to being declared and held negligent by frivolous complaints by neighbors.

Adora King – Trinidad

Should house swaps be subject to the same laws? Signs should be required so complaints can be addressed immediately.

Council comments included:

Fulkerson: Not every VDU is the same. My issue with VDU's aren't parking, signage, etc. If we're not going to put a cap on the number of VDU's allowed, we should consider much higher licensing fees. We also need to move this ordinance along NOW, not later, so we should reach a consensus tonight if possible.

Miller: I support house exchanges and one-time rentals to be excluded from VDU application requirements. I also agree that signs should be optional due to vandalism potential, I support a higher VDU application fee, a possible cap discussion, and grandfathering certain units into the off-street parking restriction that have been in operation for 5-years + following adoption of this ordinance.

Davies: I agree with and support Miller's comments, but argued that both the main house AND second unit on the property should both be allowed to operate as VDU's at the same time.

Baker: I also agree with Miller. Trinidad has character that may change if we don't do something soon to regulate VDU's. A cap might be good at some point, and grandfathering existing units into the system is a good idea.

City Manager Stunich suggested that we review putting a cap on VDU's thoroughly before acting on it. He agreed to review case law and work with the City Planner to develop the proper regulations for limiting the number of VDU's in town.

City Manager Suiker explained that cap concerns should be considered with the upcoming budget process.

By consensus, the Council agreed to the proposed changes in the VDU regulations and asked staff to proceed moving the draft ordinance to the Coastal Commission staff for review and consideration.

XIII. ADJOURNMENT

- Meeting ended at 8:50pm.

Submitted by:

Gabriel Adams
City Clerk

Approved by:

Julie Fulkerson
Mayor

DRAFT

MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL
WEDNESDAY, MAY 14, 2014

I. CALL TO ORDER

- Mayor Fulkerson called the meeting to order at 6:00PM. Council members in attendance: West, Miller, Fulkerson, Baker, Davies.
- City Staff in attendance: City Manager Karen Suiker, City Clerk Gabriel Adams, City Engineer Josh Wolf, City Planner Trever Parker.

II. PLEDGE OF ALLEGIANCE

III. ADJOURNMENT TO CLOSED SESSION

1. Existing/Pending Litigation against the City of Trinidad, Government Code section 54956.9(b) and/or section 54956.95, from the Tsurai Ancestral Society.

IV. RECONVENE TO OPEN SESSION

No report out from closed session.

V. APPROVAL OF AGENDA

- Pull #5 Van Wyke Trail for further discussion.
 - Pull \$6 VDU for further discussion.
- Motion (Miller/Davies) to approve the agenda as amended. **Passed unanimously.**

VI. APPROVAL OF MINUTES – April 09, 2014 cc
Minutes were not prepared in time for this meeting.

VII. COMMISSIONERS REPORTS

West: HCAOG; Deferred to item 2 on the agenda.

Miller: Announced the Coast Guard Housing site on Trinidad Head transfer ceremony to the BLM scheduled for Friday, May 16.

Davies: Nothing to report.

Baker: Nothing to report.

Fulkerson: Announced that \$300,000 has been raised so far by the county to lure in a new airline carrier, but more is needed, up to one million. Also read a letter from a resident thanking the Council for quick action installing a dog-doo station at the harbor beach.

VIII. ITEMS FROM THE FLOOR

Patti Fleschner – Trinidad Civic Club
Announced the upcoming Memorial Day ceremony at the Lighthouse.

Jim Cuthbertson – Trinidad
Thanked the Sheriff for quick response on a complaint filed today regarding an issue that occurred on the Wagner Street Trail between himself and resident John Frame. Asked the Council to step up and straighten out the issue.

IX. CONSENT AGENDA

1. Financial Status Reports for March 2014.
2. Sheriff Activity Report for April 2014.
3. Authorize the City Manager to sign Memorandum of Agreement with the Trinidad Rancheria for supplemental funding for the Trinidad Waste Water System Upgrade Project.
4. Treasury Cash and Investments Report.

5. Project Study Report and Active Transportation Program Grant Application for Van Wycke Trail Repair.
PULLED FOR DISCUSSION...

Mayor Fulkerson recused herself from the discussion. City Engineer Josh Wolf explained the project proposal. The funds being sought are through an active transportation grant, so utility relocation is not the focus. Residents Jim Cuthbertson supported fixing it. Resident Kim Tays suggested using low profile solutions to protect coastal resources. Josh Wolf indicated that the fix would more than likely require a robust soldier pile wall to ensure stability.

Motion (West/Davies) to approve consent agenda item 5 as recommended. Passed 4-0. Fulkerson abstained.

6. Vacation Dwelling Unit (VDU) Ordinance Update.
7. Emergency Operations Plan Update.
8. Authorize City Manager to sign the amended grant agreement to extend the Watershed Coordinator position through December 31, 2014.

Motion (Davies/Baker) to approve the consent agenda as amended. Passed unanimously.

X. DISCUSSION AGENDA

1. Discussion/Decision regarding Contract with Sheriff for Law Enforcement Services.

City Manager Suiker explained that at the City Council meeting of January 8, 2014, the Council took action to appoint Councilmembers Davies and Baker to work with staff to consider renegotiation of the law enforcement services contract. The current contract will expire June 30, 2014. This working group has met and guided the negotiation process, and we have now arrived at a proposed contract that is recommended for approval. Highlights of that contract are:

1. One full-time assigned deputy with year round working hours Wednesday through Saturday, 9:00 a.m. to 7:00 p.m. The deputy will be reporting to and from the main station in Eureka to participate in briefings and coordinate activity and information with other officers.
2. The assigned deputy will adjust his/her schedule to cover identified special events, including the 4th of July, Fish Festival, Clam Beach Run, Halloween and Summer Art Night events. In the event the assigned Deputy Sheriff is not available, the county will provide a replacement for that event.
3. In order to provide for the opportunity for council and/or the public to weigh in on and evaluate law enforcement services, the agreement provides that a representative of the Sheriff, at the rank of Lieutenant or higher, upon request by the City, shall meet quarterly with the public, "either in a special meeting or at a council meeting to discuss city policing issues."
4. The assigned deputy shall be issued a cell phone available to the public, at the expense of the City.
5. A magnetic emblem that represents the City shall be affixed to the patrol vehicle during assigned shifts, at the expense of the City.
6. As is the case with the existing contract, this is a three year agreement; however, either party can terminate upon sixty day's written notice.
7. The current soon-to-expire contract provides for the equivalent of 1-1/2 assigned deputies. Due to difficulties with accounting for and tracking the hours of a half-time deputy assignment, the sheriff is unwilling to agree to a similar arrangement, and the new agreement provides for one full-time deputy. Supplemental services can be arranged (with a minimum of fifteen day's notice), for a minimum of 8 consecutive hours at the hourly rate as per the county's published fee schedule (currently \$90/hour). The intent of the working group is to budget an amount equivalent to 8 hours each week for 52 weeks, and flex the working days and working hours so there is no expectation of predictability.
8. The proposed contract, which would be adjusted each year based on actual staff and support costs, is \$150,634 for the first year. The working group expects to supplement this by 8 hours x 52 weeks x \$90/hour or \$37,440, with a total cost of \$188,074. This compares to the current contract cost of \$182,745.

Public comment included:

Jim Cuthbertson - Trinidad

Commented on his support for new Deputy Wilcox.

Richard Kieselhorst – Trinidad

Also commented and expressed gratitude for new Deputy Wilcox and her immediate contributions to the Volunteer Fire Department and community.

HCSO Lt. Morey: We feel this is a great contract, and the city shouldn't lose sight of the full backing of the county that is always available to the city as a result of the agreement. Sheriff's Office is very happy to be working with the city of Trinidad.

Council thanked the City Manager and Committee for bringing back a successful contract.

*Motion (Miller/West) to authorize the Mayor to execute the proposed Agreement to Provide Law Enforcement Services within the City of Trinidad. **Passed unanimously.***

2. Discussion/Presentation from the Trinidad Rancheria regarding the Highway 101 Interchange.

City Manager Suiker explained that at their April 17, 2014 meeting, the Humboldt County Association of Governments (HCAOG) was asked to approve a letter of support for a federal grant application for the design and engineering of the Trinidad Rancheria's proposal for a Highway 101 interchange. In order to meet the grant application deadline, HCAOG approved the support letter "with the condition that the Rancheria expediently meets with Trinidad's City Council". This agenda item is in response to that condition, and will provide for the opportunity for representatives of the Rancheria to share their vision with the Council and interested community members.

Suiker introduced Robert Hemstead, Vice Chair of the Trinidad Rancheria. Hemstead explained that various safety and structural concerns with Scenic Drive have prompted the Rancheria to propose the interchange concept to ensure safe access to their community and facility. He further explained that there is NO design yet to approve, and that this grant (if approved) would provide the Rancheria with resources to develop concept options. It does not fund any other enterprise or housing plans for the Rancheria.

Public comment included:

Victoria Sackville – Trinidad

What more is there to come? A hotel? Gas Station?

Hemstead responded, assuring the Council that a gas station will "inevitably" be built, but that the interchange is still years away.

Richard Johnson – Trinidad

The Rancheria is a large water user. The Moss subdivision project was controversial due to concerns that the city's water supply was inadequate to support further development. We think that the Rancheria is built out. Planning says there are approximately 40 buildable lots. We urge the Council to request that the City Engineer review the Moss Subdivision water supply analysis and how it might influence the Rancheria's grand plan. It would also be helpful to fully understand the Rancheria's timeline.

Kelly Lindgren – Trinidad Area Resident

We have property that we access through the Rancheria, and are concerned with how the interchange might impact access to our property.

Council comments were focused on the purpose of tonight's meeting, which was only to hear the Rancheria's presentation and share their vision. Further meetings and discussion will likely occur in the future as the project unfolds. No decisions were made.

3. Discussion/Decision regarding City Manager Resignation and Recruitment.

City Manager Suiker requested that the Council accept her notice of resignation effective July 10, 2014. She expressed that she will be committed to assisting the city in any way during the recruitment and selection of a new manager, and was open to any mutually agreeable arrangement beyond that date to assure a smooth transition and to assure you are not without leadership at any time.

Suiker further expressed that she enjoyed her time in Trinidad and considers herself especially fortunate to have worked with each and every one of you, as well as former council members who no longer serve in that capacity. The citizens of Trinidad are truly fortunate to benefit from the wisdom and patience and dedication of your council as well as the skills and abilities of an outstanding and committed staff. Any and all successes during her tenure are either the direct or indirect result of that quality staff.

Public comment included:

Richard Johnson – Trinidad Area Resident

Suiker has done an outstanding job, and thanked her for her service.

Patti Fleschner – Trinidad

Wished Suiker well and assured her she will be missed.

Mike Morgan – Trinidad

Didn't always agree with Suiker but thanked her for all her help and support.

Council comments included:

Fulkerson: Karen's brought an enormous amount of depth and experience to the position and will be greatly missed. Hope to find more local talent as her replacement.

Miller: Would like to see local talent as well, but not limited to it.

*Motion (Davies/Baker) to appoint a subcommittee of Fulkerson & Miller to work with City Manager on posting job ads and descriptions, and proposing June 04 as the next meeting date scheduled to approve budget and get update on recruitment process. **Passed unanimously.***

XIII. ADJOURNMENT

- Meeting ended at 8:45pm.

Submitted by:

Gabriel Adams
City Clerk

Approved by:

Julie Fulkerson
Mayor

DRAFT

MINUTES OF THE SPECIAL MEETING OF THE TRINIDAD CITY COUNCIL
WEDNESDAY, JUNE 04, 2014

I. CALL TO ORDER

- Mayor Fulkerson called the meeting to order at 6:00PM. Council members in attendance: Miller, Fulkerson, Baker, Davies. **West was absent.**
- City Staff in attendance: City Manager Karen Suiker, City Clerk Gabriel Adams, City Planner Trever Parker.

II. PLEDGE OF ALLEGIANCE

III. ADJOURNMENT TO CLOSED SESSION

1. Personnel Issue: Section 54957(b), City Manager Selection and Recruitment Process.

IV. RECONVENE TO OPEN SESSION

No report out from closed session.

V. APPROVAL OF AGENDA

Motion (Miller/Baker) to approve the agenda as written. Passed 4-0.

VI. APPROVAL OF MINUTES – No Minutes to approve.

VII. COMMISSIONERS REPORTS – *No reports were given.*

VIII. ITEMS FROM THE FLOOR – *None.*

IX. CONSENT AGENDA

1. Financial Status Reports for April 2014.
2. Law Enforcement Activity Update – May 2014
3. Resolution 2014-05: Requesting the County Elections Department to Conduct the November General Election Services on Behalf of the City of Trinidad.
4. Contract Amendment for Water Treatment Plant Upgrade Project.
5. Budget Adjustment for Planning Services.
6. Resolution 2014-07: Approving Grant Application to the Coastal Commission for Funding Through the LCP Planning Assistance Program.
7. Resolution 2014-08: Approving the Application to the Ocean Protection Council for Funding Through the LCP Sea Level Rise Grant Program.

Motion (Baker/Davies) to approve the consent agenda as written. Passed 4-0.

X. DISCUSSION AGENDA

1. Discussion/Decision regarding Resolution 2014-06; Requesting the 2012 VDU Ordinance Submitted to the Coastal Commission for Review be Withdrawn.
City Planner Trever Parker explained that significant changes have been made to the VDU ordinance since it was adopted by the City in 2012. This has occurred through City staff negotiations with Coastal Commission staff and subsequent public hearings at City Council meetings over the last few months. The changes that have been made are so substantial that 'track changes' (with strikethroughs and underlines) can no longer be used to document the changes. This has made explaining and understanding the changes onerous. Coastal Commission staff is worried that this situation will cause problems with gaining approval and certification of the amended ordinance by the Coastal Commission. This confusion is unnecessary if the City and Coastal Commission staff are generally in agreement with the changes. At this point, the only outstanding unresolved issue is regarding the exact language of the water use limitation section (§6.26.H.3). (The Coastal Commission would like to see numerical limits on water use, but I feel flexibility is needed to accommodate landscaping on various size lots. As a compromise, we are going to try to come up with categories of average / maximum water use based on house and lot sizes.) In addition, the Coastal Commission is under a deadline of July 28, 2014 by which it must take action on the submitted coastal program amendment.

Therefore, Coastal Commission staff has requested that the City withdraw transmittal of the VDU ordinance adopted in 2012 that was submitted to the Coastal Commission. Further, Coastal Commission staff recommend that the City rescind that ordinance and adopt a superseding version (pending new water use language) that incorporates the changes negotiated and made to date on the 2012 version. At this point, if not withdrawn, Coastal Commission staff would be recommending against certification of the 2012 VDU ordinance. If the new version of the ordinance has not been adopted by the City, then explaining and justifying all of the changes that have been proposed in recommending approval of the revised ordinance would be a very onerous, time-consuming, and likely confusing undertaking. This, in addition to the July processing deadline is problematic. Consequently, Coastal Commission staff have requested that the City withdraw the current LCP Amendment application to avoid scheduling the VDU ordinance for the July 9-11 Coastal Commission agenda. Such a submittal retraction would be accomplished through a Resolution of Withdrawal adopted by the City Council at the June 04, 2014 meeting.

The proposed course of action at this point is to adopt the attached Resolution withdrawing the proposed VDU LCP Amendment application. The next step will be to finalize the water use limitation language to the satisfaction of both parties, or to agree to disagree on that one point. Then the City Council would rescind the 2012 VDU ordinance and adopt the current ordinance with two readings. At the same time, a new Resolution of Transmittal can be adopted for resubmitting the VDU LCP amendment to the Coastal Commission. This way, Coastal Commission staff can present a clean version of the VDU ordinance that has been adopted by the City and recommend approval of it as submitted (again, pending the final water use language).

There was no public comment.

The Council agreed that this was the most cumbersome and confusing process, but didn't want it to be held up any longer.

Motion (Miller/Baker) to adopt Resolution 2014-06; Requesting the 2012 VDU Ordinance submitted to the Coastal Commission for review be withdrawn. Passed 4-0.

2. Discussion/Decision regarding Resolution 2014-09; Adoption of the FY2015 City Budget.

City Manager Suiker explained that the proposed FY 2014-15 City of Trinidad budget is herewith submitted to the Council for adoption. A public study session that included a power point presentation of the draft budget was held on May 21, 2014. At that meeting the Council generally supported the proposed presentation and took action to support the continued distribution of 12% of the city's prior year Transient Occupancy Taxes as follows: Chamber of Commerce 60%; Museum 30%; Library 10%.

Key points related to the final budget presentation include:

Overall Budget Highlights

- Funding for 3% across the board salary adjustments plus a six month 2.5% promotional progression in accordance with the procedures set forth in the Employee Policies Manual (total equivalent annual increase of 3% for employees at the top step in their classification and 4.25% for employees not currently at the top step in their classification).
- Medical insurance factored at a 50% increase January 2015.
- Continuation of 6.025 full time equivalent (FTE) positions with Grant Manager allocated 20% to General Fund (\$16,000).

General Fund Revenues

- Status quo most revenue sources with slight increases.
- Sales tax is highest revenue source (4% sales tax add-on generates about \$100,400).
- Transient Occupancy Taxes estimated at \$126,000.
- Property Taxes estimated at \$96,500.
- Reflects transfer-in of \$30,000 gas taxes and transportation development act funds to offset street light expenses and pro-rated salaries of public works employees working on road-related activities.

- Reflects transfer-in of \$10,000 from public works reserve to offset some of town hall roof replacement costs.

General Fund Administration (1.64 FTE)

This budget unit funds pro-rated employee salaries, liability, property and casualty insurance, contracted planner, building official, attorney, financial contractor, bookkeeper, auditor, lease of city annex and new library, utility costs, distribution of transient occupancy taxes (TOT), office supplies

- Planner activities budgeted as follows*

General Plan	\$ 18,000
ADU/VDU	5,500
Planning Commission	4,500
Permits (offset by revenue)	5,000
Code violations	2,500
Stormwater permit issues	1,500
Miscellaneous, general planning	5,000
VDU Cap (new)	3,000
	<u>45,000</u>

*excludes separately funded OWTS

- Attorney costs are estimated at \$30,000, which includes \$10,000 toward defense of litigation(s)
- Building Official \$8,000 (includes \$1,000 sign survey)
- Distribution of 12% of prior year TOT receipts (\$15,045)
- Replacement of city clerk computer (\$1,500)

General Fund Law Enforcement (.10 FTE)

- Contract for law enforcement services \$150,644 + 8hours/week supplemental on site law enforcement availability @ \$90/hour (\$37,440)
- \$100,000 anticipated to be funded by Community Oriented Policing Services (COPS) revenue, same as has been the case over the last several years
- Animal control services \$1,925

General Fund Fire

- Building extension at fire hall to accommodate equipment (\$25,000)
- New roof at fire hall (\$10,000)
- Transfer-in \$25,000 from fire reserves to offset capital improvements.

General Fund Public Works (1.03 FTE)

Budget includes pro-rated staffing costs, town hall, annex and library supplies, street paint, signs, trail and park maintenance

- Reroof town hall (\$30,000)
- Grant match for Van Wycke Trail (\$40,000)
- Remodel city clerk office (\$10,000)
- Transfer-in \$10,000 public works reserve
- Transfer-in \$30,000 from gas tax/transportation funds

General Fund Revenue:	\$ 608,759
General Fund Expenditures:	
Administration	\$325,875
Police	107,430
Fire	45,545
Public Works	<u>201,098</u>
	\$550,903

Difference (from carry forward) \$ 71,189

The General Fund financial position improved by over \$100,000 last fiscal year, and this use of carry forward funds still achieves the goal of a fund balance of around \$1 million for cash flow purposes, especially given the City's heavy reliance on grants which are usually retroactively reimbursed.

This is a sustainable level of operations in that the one-time transfer-in amounts offset the the one-time expenditures.

Integrated Waste Management (.28 FTE)

Budget includes pro-rated staffing costs, franchise revenue and AB939 pass through from Humboldt Waste Management Authority.

Revenue:	\$ 12,640
Expenditures:	\$ 21,380
Difference (from fund balance)	\$ 8,740

The difference of \$8,740 can be absorbed from the fund balance (\$35,926 as of 6/30/2013), and compares a difference of \$8,841 last year when the recycling bins were in operation. The program can be possibly be incorporated into the General Fund once the fund balance is depleted.

Cemetery (.35FTE)

Budget includes pro-rated staffing costs and plot sales.

Revenues:	\$ 8,400
Expenditures:	\$ 26,441
Difference (from reserve)	\$ 18,041

As of 6/30/2013 cash assets in this fund were approximately \$149,000. For the past two years, the revenues exceeded expenditures due to plot sales exceeding budget expectations. At some point in the future there may be a need to consider increase in plot sale amount or consider contribution from General Fund in the future.

Water Fund (1.82 FTE)

- \$15,000 set aside/reserve for capital
- All bonds paid in full as of 2013/14
- Annual water sales \$305,000

Revenue:	\$ 316,500
Expenditures:	\$276,038
Difference (add to fund balance)	\$ 40,462

Reflects projected progress on increasing fund balance to a goal of around \$750,000. Balance as of 6/30/2013 approximately \$680,000.

There was no public comment.

Council comments included:

Miller: Water is important. Would like more storage and redundancy. We need to plan for the next 5 years infrastructure needs. 3% rate increase was a good comment.

Fulkerson: Future discussion should be health insurance and water infrastructure needs. Thanked the Museum, Library, and Chamber for T.O.T. allocations. This budget is a direct response to community needs through feedback.

Motion (Miller/Davies) to approve Resolution 2014-09 adopting the FY2015 City Budget. Passed 4-0.

XIII. ADJOURNMENT

- Meeting ended at 6:50pm.

Submitted by:

Gabriel Adams
City Clerk

Approved by:

Julie Fulkerson
Mayor

DRAFT



CONSENT AGENDA ITEM 1

SUPPORTING DOCUMENTATION FOLLOWS WITH: 16 PAGES

1. Financial Status Reports for May & June 2014.

City of Trinidad
Statement of Revenues and Expenditures - GF Revenue
From 5/1/2014 Through 5/31/2014

	Current Month	Year to Date	Total Budget - Original	% of Budget
Revenue				
41010	PROPERTY TAX - SECURED	0.00	45,899.97	79,125.00 (41.99)%
41020	PROPERTY TAX - UNSECURED	0.00	2,826.40	3,025.00 (6.57)%
41040	PROPERTY TAX-PRIOR UNSECURED	0.00	18.54	80.00 (76.83)%
41050	PROPERTY TAX - CURRENT SUPPL	0.00	194.49	100.00 94.49%
41060	PROPERTY TAX-PRIOR SUPPL	0.00	100.68	200.00 (49.66)%
41070	PROPERTY TAX - FINES	0.00	632.52	0.00 0.00%
41071	MOTOR VEHICLES	0.00	0.00	1,170.00 100.00%
41072	PROP TX - BOOKING FEES	0.00	21.23	0.00 0.00%
41100	PROPERTY TAX - INTEREST +	0.00	12.60	0.00 0.00%
41110	PROPERTY TAX EXEMPTION	0.00	667.25	1,300.00 (48.67)%
41130	PUBLIC SAFETY 1/2 CENT	0.00	870.35	1,420.00 (38.71)%
41140	PROPERTY TAX - DOCUMENTARY RE	0.00	723.25	1,000.00 (27.68)%
41190	PROPERTY TAX ADMINISTRATION FE	0.00	(1,163.00)	(2,317.00) (49.81)%
41200	LAFCO Charge	0.00	(1,152.29)	(742.00) 55.30%
41210	IN-LIEU SALES & USE TAX	0.00	13,286.25	27,442.00 (51.58)%
41220	IN LIEU VLF	0.00	13,760.00	27,960.00 (50.79)%
42000	SALES & USE TAX	5,600.00	132,066.12	190,000.00 (30.49)%
43000	TRANSIENT LODGING TAX	12,980.21	87,793.17	93,000.00 (5.60)%
46000	GRANT INCOME	0.00	3,032.00	0.00 0.00%
53010	COPY MACHINE FEE	2.00	10.70	50.00 (78.60)%
53020	INTEREST INCOME	17.44	7,103.01	15,500.00 (54.17)%
53090	OTHER MISCELLANEOUS INCOME	3,246.26	4,180.80	1,000.00 318.08%
54020	PLANNER- APPLICATION PROCESSIN	0.00	3,144.73	5,000.00 (37.11)%
54050	BLDG.INSP-APPLICATION PROCESSI	50.00	6,386.54	7,000.00 (8.76)%
54100	ANIMAL LICENSE FEES	0.00	219.00	100.00 119.00%
54150	BUSINESS LICENSE TAX	240.00	10,097.00	9,500.00 6.28%
54300	ENCROACHMENT PERMIT FEES	0.00	250.00	400.00 (37.50)%
56400	RENT - VERIZON	1,985.92	18,743.08	21,300.00 (12.00)%
56500	RENT - HARBOR LEASE	0.00	5,085.00	5,125.00 (0.78)%
56550	RENT - PG& E	0.00	9,844.98	8,500.00 15.82%
56650	RENT - SUDDENLINK	1,233.67	3,600.65	4,492.00 (19.84)%
56700	RENT - TOWN HALL	0.00	3,833.85	9,000.00 (57.40)%
59999	INTERDEPARTMENTAL TRANSFER INC	0.00	0.00	30,000.00 100.00%
	Total Revenue	25,355.50	372,088.87	539,730.00 (31.06)%

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
201 - GFAdmin
From 5/1/2014 Through 5/31/2014

		Current Month	Year to Date	Total Budget - Original	% of Budget
Expense					
60900	HONORARIUMS	250.00	2,650.00	3,000.00	11.67%
61000	EMPLOYEE GROSS WAGE	7,563.54	88,003.53	97,303.00	9.56%
61250	OVERTIME	0.00	0.00	500.00	100.00%
61470	FRINGE BENEFITS	46.16	519.30	0.00	0.00%
65100	DEFERRED RETIREMENT	290.50	3,484.57	3,776.00	7.72%
65200	MEDICAL INSURANCE AND EXPENSE	388.77	4,276.47	5,779.00	26.00%
65300	WORKMEN'S COMP INSURANCE	0.00	(3,275.20)	3,211.00	202.00%
65500	EMPLOYEE MILEAGE REIMBURSEMENT	40.50	449.34	1,000.00	55.07%
65600	PAYROLL TAX	603.85	7,027.83	7,733.00	9.12%
65800	Grant Payroll Allocation	(261.28)	1,127.68	2,600.00	56.63%
68090	CRIME BOND	0.00	700.00	455.00	(53.85)%
68200	INSURANCE - LIABILITY	0.00	4,514.25	9,675.00	53.34%
68300	PROPERTY & CASUALTY	0.00	3,797.95	4,080.00	6.91%
71110	ATTORNEY-ADMINISTRATIVE TASKS	0.00	3,861.00	22,320.00	82.70%
71130	ATTORNEY-LITIGATION	0.00	6,673.38	8,000.00	16.58%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	1,406.00	1,500.00	6.27%
71310	CITY PLANNER-ADMIN. TASKS	8,562.24	46,494.32	45,600.00	(1.96)%
71410	BLDG INSPECTOR-ADMIN TASKS	0.00	3,465.43	7,000.00	50.49%
71510	ACCOUNTANT-ADMIN TASKS	618.18	11,378.59	15,600.00	27.06%
71620	AUDITOR-FINANCIAL REPORTS	0.00	13,585.00	13,585.00	0.00%
72000	CHAMBER OF COMMERCE	0.00	3,887.76	11,520.00	66.25%
74200	REIMBURSED GRANT ADMIN EXP	0.00	(2,006.45)	0.00	0.00%
75110	FINANCIAL ADVISOR/TECH SUPPORT	0.00	2,975.00	5,000.00	40.50%
75130	GARBAGE	(126.29)	0.00	0.00	0.00%
75160	LIBRARY RENT & LOCAL CONTRIB.	0.00	0.00	500.00	100.00%
75170	RENT	650.00	7,150.00	8,190.00	12.70%
75180	UTILITIES	443.02	8,047.97	6,500.00	(23.81)%
75190	DUES & MEMBERSHIP	0.00	366.70	500.00	26.66%
75200	MUNICIPAL/UPDATE EXPENSE	124.88	2,551.88	3,500.00	27.09%
75220	OFFICE SUPPLIES & EXPENSE	130.79	4,810.77	5,500.00	12.53%
75240	BANK CHARGES	0.60	251.10	200.00	(25.55)%
75300	CONTRACTED SERVICES	0.00	0.00	1,000.00	100.00%
75990	MISCELLANEOUS EXPENSE	381.40	443.40	100.00	(343.40)%
76110	TELEPHONE	116.07	1,231.11	1,550.00	20.57%
76130	CABLE & INTERNET SERVICE	160.95	2,040.45	2,160.00	5.53%
76150	TRAVEL	0.00	0.00	1,500.00	100.00%
78120	STREET LIGHTING	9.86	9.86	0.00	0.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	1,233.72	1,500.00	17.75%
Total Expense		<u>19,993.74</u>	<u>233,132.71</u>	<u>301,937.00</u>	<u>22.79%</u>

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
301 - Police
From 5/1/2014 Through 5/31/2014

	Current Month	Year to Date	Total Budget - Original	% of Budget	
Expense					
61000	EMPLOYEE GROSS WAGE	382.04	4,516.91	4,847.00	6.81%
65300	WORKMEN'S COMP INSURANCE	0.00	0.00	160.00	100.00%
65600	PAYROLL TAX	29.23	345.60	371.00	6.85%
65800	Grant Payroll Allocation	(87.55)	(161.09)	0.00	0.00%
75170	RENT	650.00	7,150.00	8,580.00	16.67%
75180	UTILITIES	195.30	2,279.55	2,140.00	(6.52)%
75220	OFFICE SUPPLIES & EXPENSE	0.00	0.00	300.00	100.00%
75300	CONTRACTED SERVICES	45,686.25	82,745.00	87,933.00	5.90%
75350	ANIMAL CONTROL	113.00	1,243.00	1,900.00	34.58%
76110	TELEPHONE	79.42	863.41	1,040.00	16.98%
	Total Expense	47,047.69	98,982.38	107,271.00	7.73%

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
401 - Fire
From 5/1/2014 Through 5/31/2014

		<u>Current Month</u>	<u>Year to Date</u>	<u>Total Budget - Original</u>	<u>% of Budget</u>
Expense					
60900	HONORARIUMS	150.00	1,650.00	1,800.00	8.33%
75180	UTILITIES	47.42	773.89	1,065.00	27.33%
75190	DUES & MEMBERSHIP	0.00	35.00	10.00	(250.00)%
75280	TRAINING / EDUCATION	0.00	0.00	100.00	100.00%
75300	CONTRACTED SERVICES	0.00	144.00	155.00	7.10%
76110	TELEPHONE	13.49	197.94	265.00	25.31%
76140	RADIO & DISPATCH	0.00	0.00	450.00	100.00%
78140	VEHICLE FUEL & OIL	17.72	112.77	450.00	74.94%
78150	VEHICLE REPAIRS	828.85	967.38	3,000.00	67.75%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	0.00	700.00	100.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	63.38	1,982.72	2,500.00	20.69%
78200	EQUIPMENT REPAIRS & MAINTENANC	230.87	230.87	750.00	69.22%
90000	Capital Reserves	0.00	0.00	10,000.00	100.00%
96200	TRANSFER OUT	0.00	10,000.00	0.00	0.00%
Total Expense		<u>1,351.73</u>	<u>16,094.57</u>	<u>21,245.00</u>	<u>24.24%</u>

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
501 - PW (Public Works)
From 5/1/2014 Through 5/31/2014

		Current Month	Year to Date	Total Budget - Original	% of Budget
Expense					
61000	EMPLOYEE GROSS WAGE	3,273.90	37,318.90	40,752.00	8.42%
61250	OVERTIME	0.00	0.00	500.00	100.00%
65100	DEFERRED RETIREMENT	331.94	3,781.33	4,271.00	11.46%
65200	MEDICAL INSURANCE AND EXPENSE	1,745.90	19,323.76	23,141.00	16.50%
65300	WORKMEN'S COMP INSURANCE	0.00	0.00	1,389.00	100.00%
65500	EMPLOYEE MILEAGE REIMBURSEMENT	60.00	60.00	0.00	0.00%
65600	PAYROLL TAX	276.20	3,147.42	3,547.00	11.27%
65800	Grant Payroll Allocation	(113.39)	(1,058.22)	0.00	0.00%
71210	CITY ENGINEER-ADMIN. TASKS	544.00	7,368.25	4,800.00	(53.51)%
71250	CITY ENGINEER - PROJECT FEES	0.00	3,033.50	4,000.00	24.16%
75120	WASTE RECYCLING PICKUP/DISPOSA	0.00	10.58	0.00	0.00%
75180	UTILITIES	0.00	21.75	0.00	0.00%
75300	CONTRACTED SERVICES	9,576.25	13,839.76	13,900.00	0.43%
75370	UNIFORMS/PERSONAL EQUIP.	0.00	0.00	450.00	100.00%
78100	STREET MAINT/REPAIR/SANITATION	0.00	460.00	5,000.00	90.80%
78120	STREET LIGHTING	334.75	2,995.44	4,500.00	33.43%
78130	TRAIL MAINTENANCE	112.88	3,091.04	2,500.00	(23.64)%
78140	VEHICLE FUEL & OIL	484.97	3,879.85	4,700.00	17.45%
78150	VEHICLE REPAIRS	697.50	1,043.16	2,500.00	58.27%
78160	BUILDING REPAIRS & MAINTENANCE	771.35	10,525.18	7,800.00	(34.94)%
78190	MATERIALS, SUPPLIES & EQUIPMEN	289.25	3,284.70	6,500.00	49.47%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	524.82	0.00	0.00%
79150	WATER LINE REPAIR	0.00	42.99	0.00	0.00%
	Total Expense	<u>18,385.50</u>	<u>112,694.21</u>	<u>130,250.00</u>	<u>13.48%</u>

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
701 - Cemetery
From 5/1/2014 Through 5/31/2014

	Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
Revenue				
53020	0.00	0.00	1,200.00	(100.00)%
58100	0.00	11,360.00	6,000.00	89.33%
	<u>0.00</u>	<u>11,360.00</u>	<u>7,200.00</u>	<u>57.78%</u>
Expense				
61000	441.18	5,045.41	5,520.00	8.60%
65100	52.92	609.85	683.00	10.71%
65200	208.67	2,298.03	2,744.00	16.25%
65300	0.00	(55.74)	228.00	124.45%
65500	7.50	7.50	0.00	0.00%
65600	37.82	432.40	487.00	11.21%
65800	(1.79)	(178.40)	0.00	0.00%
71210	851.50	851.50	0.00	0.00%
75180	100.96	569.08	0.00	0.00%
75300	0.00	0.00	1,500.00	100.00%
78190	546.63	1,262.37	1,500.00	15.84%
	<u>2,245.39</u>	<u>10,842.00</u>	<u>12,662.00</u>	<u>14.37%</u>
Net Income	<u>(2,245.39)</u>	<u>518.00</u>	<u>(5,462.00)</u>	<u>(109.48)%</u>

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
601 - Water
From 5/1/2014 Through 5/31/2014

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
Revenue					
53020	INTEREST INCOME	0.00	0.00	4,500.00	(100.00)%
53090	OTHER MISCELLANEOUS INCOME	140.00	4,901.99	2,000.00	145.10%
57100	WATER SALES	25,982.62	269,691.00	289,000.00	(6.68)%
57300	NEW WATER HOOK UPS	0.00	0.00	3,000.00	(100.00)%
57500	WATER A/R PENALTIES	(32.95)	875.55	3,000.00	(70.81)%
	Total Revenue	<u>26,089.67</u>	<u>275,468.54</u>	<u>301,500.00</u>	<u>(8.63)%</u>
Expense					
61000	EMPLOYEE GROSS WAGE	6,449.47	74,389.42	81,844.00	9.11%
61250	OVERTIME	0.00	0.00	2,000.00	100.00%
65100	DEFERRED RETIREMENT	735.85	8,601.16	9,516.00	9.61%
65200	MEDICAL INSURANCE AND EXPENSE	3,084.73	33,779.68	40,582.00	16.76%
65300	WORKMEN'S COMP INSURANCE	0.00	(951.58)	2,751.00	134.59%
65500	EMPLOYEE MILEAGE REIMBURSEMENT	67.50	67.50	0.00	0.00%
65600	PAYROLL TAX	549.84	6,341.32	7,105.00	10.75%
65800	Grant Payroll Allocation	(384.20)	(2,637.60)	0.00	0.00%
68200	INSURANCE - LIABILITY	0.00	2,430.75	5,210.00	53.34%
68300	PROPERTY & CASUALTY	0.00	2,045.05	2,195.00	6.83%
71110	ATTORNEY-ADMINISTRATIVE TASKS	0.00	0.00	500.00	100.00%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	0.00	4,000.00	100.00%
71510	ACCOUNTANT-ADMIN TASKS	332.77	5,766.59	8,400.00	31.35%
71620	AUDITOR-FINANCIAL REPORTS	0.00	7,315.00	7,315.00	0.00%
72100	BAD DEBTS	0.00	0.00	500.00	100.00%
75180	UTILITIES	1,250.61	11,682.49	13,000.00	10.13%
75190	DUES & MEMBERSHIP	60.00	871.46	700.00	(24.49)%
75220	OFFICE SUPPLIES & EXPENSE	63.56	1,946.94	3,200.00	39.16%
75230	INTEREST EXPENSE	0.00	336.57	0.00	0.00%
75240	BANK CHARGES	0.00	20.00	100.00	80.00%
75280	TRAINING / EDUCATION	0.00	331.36	500.00	33.73%
75990	MISCELLANEOUS EXPENSE	0.00	0.00	250.00	100.00%
76110	TELEPHONE	83.76	840.49	1,160.00	27.54%
76130	CABLE & INTERNET SERVICE	98.00	539.00	620.00	13.06%
76160	LICENSES & FEES	0.00	2,359.73	2,475.00	4.66%
78140	VEHICLE FUEL & OIL	104.85	1,324.65	2,500.00	47.01%
78150	VEHICLE REPAIRS	0.00	217.90	2,000.00	89.11%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	390.00	1,200.00	67.50%
78170	SECURITY SYSTEM	0.00	301.00	500.00	39.80%
78190	MATERIALS, SUPPLIES & EQUIPMEN	151.10	2,734.63	6,000.00	54.42%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	0.00	1,000.00	100.00%
79100	WATER LAB FEES	110.00	1,781.00	4,500.00	60.42%
79120	WATER PLANT CHEMICALS	1,065.56	6,537.37	12,000.00	45.52%
79130	WATER LINE HOOK-UPS	0.00	0.00	3,000.00	100.00%
79150	WATER LINE REPAIR	61.35	2,358.30	20,000.00	88.21%
79160	WATER PLANT REPAIR	0.00	5,732.27	10,000.00	42.68%
90000	Capital Reserves	0.00	0.00	15,000.00	100.00%
96200	TRANSFER OUT	0.00	15,000.00	0.00	0.00%
	Total Expense	<u>13,884.75</u>	<u>192,452.45</u>	<u>271,623.00</u>	<u>29.15%</u>
	Net Income	<u>12,204.92</u>	<u>83,016.09</u>	<u>29,877.00</u>	<u>177.86%</u>

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
204 - IWM
From 5/1/2014 Through 5/31/2014

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
Revenue					
46000	GRANT INCOME	0.00	0.00	5,000.00	(100.00)%
47600	BLUE BAG SALES	0.00	0.00	4,000.00	(100.00)%
47650	RECYCLING REVENUE	1,929.68	21,587.44	29,000.00	(25.56)%
53090	OTHER MISCELLANEOUS INCOME	0.00	2,100.00	0.00	0.00%
56650	RENT - SUDDENLINK	(593.35)	0.00	0.00	0.00%
	Total Revenue	<u>1,336.33</u>	<u>23,687.44</u>	<u>38,000.00</u>	<u>(37.66)%</u>
Expense					
61000	EMPLOYEE GROSS WAGE	696.13	7,963.56	8,680.00	8.25%
65100	DEFERRED RETIREMENT	83.54	951.98	1,075.00	11.44%
65200	MEDICAL INSURANCE AND EXPENSE	381.70	4,255.49	5,084.00	16.30%
65300	WORKMEN'S COMP INSURANCE	0.00	(112.48)	296.00	138.00%
65500	EMPLOYEE MILEAGE REIMBURSEMENT	15.00	15.00	0.00	0.00%
65600	PAYROLL TAX	59.62	682.08	767.00	11.07%
65800	Grant Payroll Allocation	(3.58)	(232.73)	0.00	0.00%
75120	WASTE RECYCLING PICKUP/DISPOSA	0.00	1,632.30	18,375.00	91.12%
75130	GARBAGE	0.00	483.40	0.00	0.00%
75140	BLUE BAG PURCHASES	0.00	0.00	4,000.00	100.00%
78100	STREET MAINT/REPAIR/SANITATION	0.00	4,560.20	6,764.00	32.58%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	1,216.17	1,800.00	32.44%
	Total Expense	<u>1,232.41</u>	<u>21,414.97</u>	<u>46,841.00</u>	<u>54.28%</u>
	Net Income	<u>103.92</u>	<u>2,272.47</u>	<u>(8,841.00)</u>	<u>(125.70)%</u>

City of Trinidad
Statement of Revenues and Expenditures - GF Revenue
From 6/1/2014 Through 6/30/2014

	Current Month	Year to Date	Total Budget - Original	% of Budget
Revenue				
41010	37,510.74	83,410.71	79,125.00	5.42%
41020	346.30	3,172.70	3,025.00	4.88%
41040	0.00	18.54	80.00	(76.83)%
41050	304.62	499.11	100.00	399.11%
41060	49.74	150.42	200.00	(24.79)%
41070	129.43	761.95	0.00	0.00%
41071	0.00	0.00	1,170.00	100.00%
41072	75.29	96.52	0.00	0.00%
41100	0.00	12.60	0.00	0.00%
41110	467.10	1,134.35	1,300.00	(12.74)%
41130	290.49	1,160.84	1,420.00	(18.25)%
41140	164.45	887.70	1,000.00	(11.23)%
41190	(1,163.00)	(2,326.00)	(2,317.00)	0.39%
41200	790.84	(361.45)	(742.00)	(51.29)%
41210	13,286.25	26,572.50	27,442.00	(3.17)%
41220	13,760.00	27,520.00	27,960.00	(1.57)%
42000	16,401.10	148,467.22	190,000.00	(21.86)%
43000	5,172.87	92,966.04	93,000.00	(0.04)%
46000	0.00	3,032.00	5,000.00	(39.36)%
53010	10.00	20.70	50.00	(58.60)%
53020	33.73	7,136.74	15,500.00	(53.96)%
53090	964.71	5,145.51	1,000.00	414.55%
54020	3,578.00	6,722.73	5,000.00	34.45%
54050	692.88	7,079.42	7,000.00	1.13%
54100	0.00	219.00	100.00	119.00%
54150	540.00	10,637.00	9,500.00	11.97%
54300	0.00	250.00	400.00	(37.50)%
56400	1,985.92	20,729.00	21,300.00	(2.68)%
56500	0.00	5,085.00	5,125.00	(0.78)%
56550	0.00	9,844.98	8,500.00	15.82%
56650	0.00	3,600.65	4,492.00	(19.84)%
56700	680.00	4,513.85	9,000.00	(49.85)%
59999	0.00	0.00	35,000.00	100.00%
Total Revenue	96,071.46	468,160.33	549,730.00	(14.84)%

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
201 - GFAdmin
From 6/1/2014 Through 6/30/2014

		Current Month	Year to Date	Total Budget - Original	% of Budget
Expense					
60900	HONORARIUMS	250.00	2,900.00	3,000.00	3.33%
61000	EMPLOYEE GROSS WAGE	10,144.03	98,147.56	97,303.00	(0.87)%
61250	OVERTIME	0.00	0.00	500.00	100.00%
61470	FRINGE BENEFITS	46.16	565.46	0.00	0.00%
65100	DEFERRED RETIREMENT	369.02	3,853.59	3,776.00	(2.05)%
65200	MEDICAL INSURANCE AND EXPENSE	388.77	4,665.24	5,779.00	19.27%
65300	WORKMEN'S COMP INSURANCE	0.00	(3,275.20)	3,211.00	202.00%
65500	EMPLOYEE MILEAGE REIMBURSEMENT	37.00	486.34	1,000.00	51.37%
65600	PAYROLL TAX	803.98	7,831.81	7,733.00	(1.28)%
65800	Grant Payroll Allocation	0.00	1,127.68	2,600.00	56.63%
68090	CRIME BOND	0.00	700.00	455.00	(53.85)%
68200	INSURANCE - LIABILITY	0.00	4,514.25	9,675.00	53.34%
68300	PROPERTY & CASUALTY	0.00	3,797.95	4,080.00	6.91%
71110	ATTORNEY-ADMINISTRATIVE TASKS	0.00	3,861.00	22,320.00	82.70%
71130	ATTORNEY-LITIGATION	0.00	6,673.38	8,000.00	16.58%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	1,406.00	1,500.00	6.27%
71310	CITY PLANNER-ADMIN. TASKS	0.00	46,494.32	45,600.00	(1.96)%
71410	BLDG INSPECTOR-ADMIN TASKS	964.68	4,430.11	7,000.00	36.71%
71510	ACCOUNTANT-ADMIN TASKS	702.68	12,081.27	15,600.00	22.56%
71620	AUDITOR-FINANCIAL REPORTS	0.00	13,585.00	13,585.00	0.00%
72000	CHAMBER OF COMMERCE	689.52	4,577.28	11,520.00	60.27%
74200	REIMBURSED GRANT ADMIN EXP	0.00	(2,006.45)	0.00	0.00%
75110	FINANCIAL ADVISOR/TECH SUPPORT	60.00	3,035.00	5,000.00	39.30%
75160	LIBRARY RENT & LOCAL CONTRIB.	0.00	0.00	500.00	100.00%
75170	RENT	650.00	7,800.00	8,190.00	4.76%
75180	UTILITIES	687.70	8,735.67	6,500.00	(34.39)%
75190	DUES & MEMBERSHIP	0.00	366.70	500.00	26.66%
75200	MUNICIPAL/UPDATE EXPENSE	0.00	2,551.88	3,500.00	27.09%
75220	OFFICE SUPPLIES & EXPENSE	483.70	5,294.47	5,500.00	3.74%
75240	BANK CHARGES	5.80	256.90	200.00	(28.45)%
75300	CONTRACTED SERVICES	0.00	0.00	1,000.00	100.00%
75990	MISCELLANEOUS EXPENSE	300.00	743.40	100.00	(643.40)%
76110	TELEPHONE	118.53	1,349.64	1,550.00	12.93%
76130	CABLE & INTERNET SERVICE	160.95	2,201.40	2,160.00	(1.92)%
76150	TRAVEL	0.00	0.00	1,500.00	100.00%
78120	STREET LIGHTING	0.00	9.86	0.00	0.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	34.69	1,268.41	1,500.00	15.44%
Total Expense		<u>16,897.21</u>	<u>250,029.92</u>	<u>301,937.00</u>	<u>17.19%</u>

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
301 - Police
From 6/1/2014 Through 6/30/2014

		<u>Current Month</u>	<u>Year to Date</u>	<u>Total Budget - Original</u>	<u>% of Budget</u>
Expense					
61000	EMPLOYEE GROSS WAGE	723.78	5,240.69	4,847.00	(8.12)%
65300	WORKMEN'S COMP INSURANCE	0.00	0.00	160.00	100.00%
65600	PAYROLL TAX	37.43	383.03	371.00	(3.24)%
65800	Grant Payroll Allocation	0.00	(161.09)	0.00	0.00%
75170	RENT	650.00	7,800.00	8,580.00	9.09%
75180	UTILITIES	145.80	2,425.35	2,140.00	(13.33)%
75220	OFFICE SUPPLIES & EXPENSE	0.00	0.00	300.00	100.00%
75300	CONTRACTED SERVICES	0.00	82,745.00	87,933.00	5.90%
75350	ANIMAL CONTROL	113.00	1,356.00	1,900.00	28.63%
76110	TELEPHONE	78.97	942.38	1,040.00	9.39%
	Total Expense	<u>1,748.98</u>	<u>100,731.36</u>	<u>107,271.00</u>	<u>6.10%</u>

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
401 - Fire
From 6/1/2014 Through 6/30/2014

		<u>Current Month</u>	<u>Year to Date</u>	<u>Total Budget - Original</u>	<u>% of Budget</u>
	Expense				
60900	HONORARIUMS	150.00	1,800.00	1,800.00	0.00%
75180	UTILITIES	48.81	822.70	1,065.00	22.75%
75190	DUES & MEMBERSHIP	0.00	35.00	10.00	(250.00)%
75280	TRAINING / EDUCATION	0.00	0.00	100.00	100.00%
75300	CONTRACTED SERVICES	0.00	144.00	155.00	7.10%
76110	TELEPHONE	0.00	197.94	265.00	25.31%
76140	RADIO & DISPATCH	0.00	0.00	450.00	100.00%
78140	VEHICLE FUEL & OIL	0.00	112.77	450.00	74.94%
78150	VEHICLE REPAIRS	0.00	967.38	3,000.00	67.75%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	0.00	700.00	100.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	1,982.72	2,500.00	20.69%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	230.87	750.00	69.22%
90000	Capital Reserves	0.00	0.00	10,000.00	100.00%
96200	TRANSFER OUT	0.00	10,000.00	0.00	0.00%
	Total Expense	<u>198.81</u>	<u>16,293.38</u>	<u>21,245.00</u>	<u>23.31%</u>

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
501 - PW (Public Works)
From 6/1/2014 Through 6/30/2014

		<u>Current Month</u>	<u>Year to Date</u>	<u>Total Budget - Original</u>	<u>% of Budget</u>
	Expense				
61000	EMPLOYEE GROSS WAGE	3,339.25	40,658.15	40,752.00	0.23%
61250	OVERTIME	0.00	0.00	500.00	100.00%
65100	DEFERRED RETIREMENT	435.88	4,217.21	4,271.00	1.26%
65200	MEDICAL INSURANCE AND EXPENSE	1,824.30	21,148.06	23,141.00	8.61%
65300	WORKMEN'S COMP INSURANCE	0.00	0.00	1,389.00	100.00%
65500	EMPLOYEE MILEAGE REIMBURSEMENT	0.00	60.00	0.00	0.00%
65600	PAYROLL TAX	365.28	3,512.70	3,547.00	0.97%
65800	Grant Payroll Allocation	(69.95)	(1,128.17)	0.00	0.00%
71210	CITY ENGINEER-ADMIN. TASKS	40.50	7,408.75	4,800.00	(54.35)%
71250	CITY ENGINEER - PROJECT FEES	0.00	3,033.50	4,000.00	24.16%
75120	WASTE RECYCLING PICKUP/DISPOSA	15.94	26.52	0.00	0.00%
75180	UTILITIES	0.00	21.75	0.00	0.00%
75300	CONTRACTED SERVICES	0.00	13,839.76	23,900.00	42.09%
75370	UNIFORMS/PERSONAL EQUIP.	0.00	0.00	450.00	100.00%
76110	TELEPHONE	25.47	25.47	0.00	0.00%
78100	STREET MAINT/REPAIR/SANITATION	0.00	460.00	5,000.00	90.80%
78120	STREET LIGHTING	333.38	3,328.82	4,500.00	26.03%
78130	TRAIL MAINTENANCE	0.00	3,091.04	2,500.00	(23.64)%
78140	VEHICLE FUEL & OIL	275.99	4,155.84	4,700.00	11.58%
78150	VEHICLE REPAIRS	0.00	1,043.16	2,500.00	58.27%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	10,525.18	7,800.00	(34.94)%
78190	MATERIALS, SUPPLIES & EQUIPMEN	64.95	3,349.65	6,500.00	48.47%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	524.82	0.00	0.00%
79150	WATER LINE REPAIR	0.00	42.99	0.00	0.00%
	Total Expense	<u>6,650.99</u>	<u>119,345.20</u>	<u>140,250.00</u>	<u>14.91%</u>

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
204 - IWM
From 6/1/2014 Through 6/30/2014

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
Revenue					
46000	GRANT INCOME	0.00	0.00	5,000.00	(100.00)%
47600	BLUE BAG SALES	0.00	0.00	4,000.00	(100.00)%
47650	RECYCLING REVENUE	1,678.21	23,265.65	29,000.00	(19.77)%
53090	OTHER MISCELLANEOUS INCOME	0.00	2,100.00	0.00	0.00%
	Total Revenue	<u>1,678.21</u>	<u>25,365.65</u>	<u>38,000.00</u>	<u>(33.25)%</u>
Expense					
61000	EMPLOYEE GROSS WAGE	756.78	8,720.34	8,680.00	(0.46)%
65100	DEFERRED RETIREMENT	107.94	1,059.92	1,075.00	1.40%
65200	MEDICAL INSURANCE AND EXPENSE	404.16	4,659.65	5,084.00	8.35%
65300	WORKMEN'S COMP INSURANCE	0.00	(112.48)	296.00	138.00%
65500	EMPLOYEE MILEAGE REIMBURSEMENT	0.00	15.00	0.00	0.00%
65600	PAYROLL TAX	77.04	759.12	767.00	1.03%
65800	Grant Payroll Allocation	0.00	(232.73)	0.00	0.00%
75120	WASTE RECYCLING PICKUP/DISPOSA	0.00	1,632.30	18,375.00	91.12%
75130	GARBAGE	0.00	483.40	0.00	0.00%
75140	BLUE BAG PURCHASES	0.00	0.00	4,000.00	100.00%
78100	STREET MAINT/REPAIR/SANITATION	0.00	4,560.20	6,764.00	32.58%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	1,216.17	1,800.00	32.44%
	Total Expense	<u>1,345.92</u>	<u>22,760.89</u>	<u>46,841.00</u>	<u>51.41%</u>
	Net Income	<u>332.29</u>	<u>2,604.76</u>	<u>(8,841.00)</u>	<u>(129.46)%</u>

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
601 - Water
From 6/1/2014 Through 6/30/2014

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
Revenue					
53020	INTEREST INCOME	0.00	0.00	4,500.00	(100.00)%
53090	OTHER MISCELLANEOUS INCOME	420.00	5,321.99	2,000.00	166.10%
57100	WATER SALES	24,310.39	294,001.39	289,000.00	1.73%
57300	NEW WATER HOOK UPS	0.00	0.00	3,000.00	(100.00)%
57500	WATER A/R PENALTIES	816.18	1,691.73	3,000.00	(43.61)%
	Total Revenue	<u>25,546.57</u>	<u>301,015.11</u>	<u>301,500.00</u>	<u>(0.16)%</u>
Expense					
61000	EMPLOYEE GROSS WAGE	7,422.97	81,812.39	81,844.00	0.04%
61250	OVERTIME	0.00	0.00	2,000.00	100.00%
65100	DEFERRED RETIREMENT	970.71	9,571.87	9,516.00	(0.59)%
65200	MEDICAL INSURANCE AND EXPENSE	3,142.82	36,922.50	40,582.00	9.02%
65300	WORKMEN'S COMP INSURANCE	0.00	(951.58)	2,751.00	134.59%
65500	EMPLOYEE MILEAGE REIMBURSEMENT	0.00	67.50	0.00	0.00%
65600	PAYROLL TAX	726.33	7,067.65	7,105.00	0.53%
65800	Grant Payroll Allocation	(279.81)	(2,917.41)	0.00	0.00%
68200	INSURANCE - LIABILITY	0.00	2,430.75	5,210.00	53.34%
68300	PROPERTY & CASUALTY	0.00	2,045.05	2,195.00	6.83%
71110	ATTORNEY-ADMINISTRATIVE TASKS	0.00	0.00	500.00	100.00%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	0.00	4,000.00	100.00%
71510	ACCOUNTANT-ADMIN TASKS	378.37	6,144.96	8,400.00	26.85%
71620	AUDITOR-FINANCIAL REPORTS	0.00	7,315.00	7,315.00	0.00%
72100	BAD DEBTS	0.00	0.00	500.00	100.00%
75180	UTILITIES	1,474.45	13,156.94	13,000.00	(1.21)%
75190	DUES & MEMBERSHIP	423.00	1,294.46	700.00	(84.92)%
75220	OFFICE SUPPLIES & EXPENSE	468.15	2,415.09	3,200.00	24.53%
75230	INTEREST EXPENSE	0.00	336.57	0.00	0.00%
75240	BANK CHARGES	0.00	20.00	100.00	80.00%
75280	TRAINING / EDUCATION	0.00	331.36	500.00	33.73%
75990	MISCELLANEOUS EXPENSE	0.00	0.00	250.00	100.00%
76110	TELEPHONE	74.69	915.18	1,160.00	21.11%
76130	CABLE & INTERNET SERVICE	49.00	588.00	620.00	5.16%
76160	LICENSES & FEES	0.00	2,359.73	2,475.00	4.66%
78140	VEHICLE FUEL & OIL	124.54	1,449.19	2,500.00	42.03%
78150	VEHICLE REPAIRS	0.00	217.90	2,000.00	89.11%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	390.00	1,200.00	67.50%
78170	SECURITY SYSTEM	0.00	301.00	500.00	39.80%
78190	MATERIALS, SUPPLIES & EQUIPMEN	25.00	2,759.63	6,000.00	54.01%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	0.00	1,000.00	100.00%
79100	WATER LAB FEES	295.00	2,076.00	4,500.00	53.87%
79120	WATER PLANT CHEMICALS	606.41	7,143.78	12,000.00	40.47%
79130	WATER LINE HOOK-UPS	0.00	0.00	3,000.00	100.00%
79150	WATER LINE REPAIR	0.00	2,358.30	20,000.00	88.21%
79160	WATER PLANT REPAIR	2,800.00	8,532.27	10,000.00	14.68%
90000	Capital Reserves	0.00	0.00	15,000.00	100.00%
96200	TRANSFER OUT	0.00	15,000.00	0.00	0.00%
	Total Expense	<u>18,701.63</u>	<u>211,154.08</u>	<u>271,623.00</u>	<u>22.26%</u>
	Net Income	<u>6,844.94</u>	<u>89,861.03</u>	<u>29,877.00</u>	<u>200.77%</u>

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
701 - Cemetery
From 6/1/2014 Through 6/30/2014

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
Revenue					
53020	INTEREST INCOME	0.00	0.00	1,200.00	(100.00)%
58100	CEMETERY PLOT SALES	1,260.00	12,620.00	6,000.00	110.33%
	Total Revenue	<u>1,260.00</u>	<u>12,620.00</u>	<u>7,200.00</u>	<u>75.28%</u>
Expense					
61000	EMPLOYEE GROSS WAGE	394.78	5,440.19	5,520.00	1.45%
65100	DEFERRED RETIREMENT	68.14	677.99	683.00	0.73%
65200	MEDICAL INSURANCE AND EXPENSE	217.05	2,515.08	2,744.00	8.34%
65300	WORKMEN'S COMP INSURANCE	0.00	(55.74)	228.00	124.45%
65500	EMPLOYEE MILEAGE REIMBURSEMENT	0.00	7.50	0.00	0.00%
65600	PAYROLL TAX	48.69	481.09	487.00	1.21%
65800	Grant Payroll Allocation	0.00	(178.40)	0.00	0.00%
71210	CITY ENGINEER-ADMIN. TASKS	639.00	1,490.50	0.00	0.00%
75180	UTILITIES	0.00	569.08	0.00	0.00%
75300	CONTRACTED SERVICES	0.00	0.00	1,500.00	100.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	283.93	1,546.30	1,500.00	(3.09)%
	Total Expense	<u>1,651.59</u>	<u>12,493.59</u>	<u>12,662.00</u>	<u>1.33%</u>
	Net Income	<u>(391.59)</u>	<u>126.41</u>	<u>(5,462.00)</u>	<u>(102.31)%</u>



CONSENT AGENDA ITEM 2

SUPPORTING DOCUMENTATION FOLLOWS WITH: 6 PAGES

2. Staff Activities Report June & July 2014.



STAFF ACTIVITIES REPORT

June/July 2014

City Administration:

1. Law Enforcement Services. The contract for continued law enforcement services to be provided by the Humboldt County Sheriff has now been executed by both the city and the county. In addition to the assignment of one full time deputy, the city's adopted budget includes funding for the equivalent of an added 8 hour shift, 52 weeks per year. Your law enforcement subcommittee (Councilman Davis and Councilman Baker) has worked with staff, and direction has been given to the Sheriff for the requested additional on-site coverage for the months of July and August. The additional on-site coverage hours varies from week to week, and will not be announced to the public. In addition to on-site assignment, law enforcement will continue to respond 24 hours a day/7 days/week to calls for service.

3. Town Hall Improvements. The ramp to improve disability access has been installed, and other ADA complaint projects planned for this summer include a handrail serving the new access ramp, a compliant door on the south side foyer entrance and compliant signage at Town Hall.

4. Garbage Franchise Agreement. Now that the franchise agreement has been executed, staff will be scheduling and announcing a free residential green waste pickup and a free residential bulky waste pickup sometime in the next few months. These services were included in the franchise agreement recently negotiated with Humboldt Sanitation Services.

5. On-Site Waste Water Treatment (OWTS) Ordinance. Files have been set up for all properties that have received notices, and the Planner is reviewing and categorizing each system and calculating a maintenance period. The information available for each system varies widely. A number of follow ups will be required for those who have not submitted paperwork or only turned in partial paperwork. Staff has also been working with the County's Department of Environment Health to clarify the respective roles in administration of the City's OWTS program.

6. Code Violations at Hidden Creek RV Park. In March of this year, staff submitted a complaint, together with 41 supporting photographs, to the Mobilehome Ombudsman in the State Department of Housing and Community Development concerning code violations at this facility. Staff has recently learned that the violations have now all been

corrected to the satisfaction of the State's senior inspector, and the park was successful in abating the abandoned/substandard RV's, trash, debris, numerous electrical issues, extension cords, sink mounted on shed wall, etc., and the complaint has now been closed.

7. Code Violations at 27 Frontage Road. Staff continues to focus on code violations at this property, and while an order to vacate the illegal RV as of July 1 was issued, the occupant has so far been unable to find alternative and affordable housing, and city staff will not forceably evict the 83 year old occupant. County social services continues to be involved in seeking alternate housing arrangements, but with such limited income availability, this is proving to be problematic.

8. Memorial Lighthouse Damage. Staff submitted a full cost recovery claim for the damage repair to the memorial lighthouse stairs/railing, and the city has now fully recouped the cost for corrective work due to the damages sustained during the vehicle accident.

9. ASBS Compliance and Stormwater (MS4) Discharge Permit.

The City's stormwater discharge into the Trinidad Bay Area of Special Biological Significance (ASBS) is regulated through the MS4 General Permit. Trinidad is working with Arcata, Eureka and the County to complete the Year 1 permit implementation plan. Year 1 tasks include: developing a spill response plan; creating an inventory of all planning & building projects subject to the MS4 permit requirements; developing procedures to review and approve applicant plan documents; conducting an analysis of the municipal code to identify barriers to post construction requirements.

PLANNING ISSUES

1. General Plan. The Planning Commission continues to discuss the Community Design Element. The Planner will soon be re-initiating contact with Tribal entities to continue work on the Cultural Element, and work will soon get underway on the zoning ordinance. Staff is hopeful of success in funding a recently submitted LCP Planning grant application that will reimburse the City for part of this upcoming work. The grant award, if successful, would occur in the fall, with a contract anticipated in February 2015.

2. Vacation Dwelling Unit (VDU) LCP Amendment. This Ordinance was originally adopted in 2011, and since that time many minor and major modifications have been made as a result of negotiations and discussions between City staff and Coastal Commission staff. We believe we now have agreement with Coastal Commission staff and this is expected to be a separate agenda item for consideration of the Council at the August meeting.

3. Accessory Dwelling Unit (ADU) LCP Amendment This Ordinance was originally adopted in 2010, but because efforts were concentrated on dealing with the VDU ordinance, the ADU was on hold until resolution could be reached with Coastal

Commission staff on the VDU. This could require substantial additional information to analyze the impacts of increased density and development, and is expected to be a lengthy process.

4. Civic Club Lighthouse Project. This project was conditionally approved by the Trinidad Planning Commission on August 15, 2012 and was subsequently appealed to the City Council. The Council met on September 26, 2012 and denied the appeal. A timely appeal of this decision was thereafter submitted to the California Coastal Commission, and the stakeholders (Civic Club, City, Appellants Tsurai Ancestral Society and their attorney Ralph Faust) have since had a number of meetings with Coastal Commission staff to attempt to resolve issues surrounding this project, with further meetings scheduled.

Status of Grant Funded Programs

1. Project Name: Water Treatment Plant Construction Project

Source of Funding: Proposition 50 (\$2 million)

Status: The Water Treatment Plant Project is proceeding on schedule. Work completed to date includes installation of the chlorine contact piping, 8-inch water main, and yard piping. The existing backwash tank has been removed and the existing clarifier converted into a temporary backwash tank. Piping for the backwash tank and flocculator has been installed, and the concrete slab for the flocculator has been poured. Work on the electrical upgrades and treatment building piping modifications has also begun. Electrical conduit for pumps, controls, and backup generator have been installed. The gas line and preparation for the backup generator has also been completed. The contractor is coordinating work with City staff so that interruptions to service are minimized. The project is expected to be completed by late September.

2. Project Name: Luffenholtz Creek Sediment Reduction

Source of Funding: California Department of Public Health (\$1,670,720)

Status: The second and final construction season of the Trinidad Luffenholtz project is underway and going well. Both of the new road realignments built last summer faired very well through the winter and have now been opened to truck traffic. Work continues on the many smaller sediment reduction projects, as well as a stream improvement project that includes the removal of a culvert and replacing it with a bridge crossing. The project is on schedule and on budget for completion in October this fall.

3. Project Name: Storm Water Management Improvement

Source of Funding: CA State Proposition 84 (\$2,500,000)

Status: The Trinidad ASBS project is progressing on schedule, and citizens and impacted businesses have been wonderfully supportive and cooperative while this substantial construction project is underway in the middle of town. Weekly updates on the schedule have been emailed to the City, school, business owners, and other interested parties who have requested to be included on those emails.

4. Project Name: Trinidad to Humboldt Bay Coastal Watershed Program

Source of Funding: Department of Conservation Watershed Coordinator Grant (\$293,910)

Status: The Watershed Coordinator continues to work with groups of local, state and federal agencies, residents and businesses to promote healthy watersheds and communities. Watershed Coordinator activities include: working with the Trinidad Bay Watershed Council to develop a State of the Trinidad Bay Report to integrate and summarize what we know about Trinidad Bay, and progress being made implementing the Integrated Coastal Watershed Management Plan; working with the North Coast Stormwater Coalition on stormwater education and outreach; preparing materials and tabling at the Trinidad Fish Festival. Due to the Governor's drought declaration, the Watershed Coordinator grant term has been extended until December 2014.

5. Clean Beaches Grant. This grant, which would provide funding for education, water quality monitoring and septic system repairs in the Trinidad and Westhaven areas, was authorized to be submitted by the Council at the meeting in November of 2013. Since then the Planner has been responding to concerns and comments made by the grant reviewers who are asking for significant detail regarding how septic repairs will meet new State requirements. This has been an unusually time-consuming process, but we are still hopeful of eventual successful results.

Public Works Department Activities

1. Drought Conservation Measures. The state has adopted emergency conservation regulations, and the city's Water Committee is working to put in place required conservation measures and notification to the community. These emergency measures include prohibition against the direct application of water to any hard surface for washing, the watering of outdoor landscapes that might cause runoff, using a hose to wash an automobile unless the hose is fitted with a shutoff nozzle, and using potable water in a decorative water feature, unless the water is recirculated.

2. Town Hall and Fire Hall Roofing Projects. Bids have been awarded and both projects are on schedule to be completed this summer.

2. Water Loss. Efforts have been made to account for discrepancies between water produced and water sold. Broken meters have been replaced, meters for city or public use are now accounted for as is water sold to water purveyors and that used for treatment plant processing. This is an ongoing process and there is more to be done, but the results are pleasing: In 2011 the water loss was 29.55%. To date in 2014 that loss is 16.14%.

3. Cemetery Fence. As time permits, replacement of the fence at the cemetery continues, and is about half complete as of this writing.

4. Vegetation Management. Staff continues to cut as much grass as possible at the park, the trails, the head road, town hall, alleys, street sides, etc. Staff has been experimenting with a 20% vinegar solution applied to weeds around the park, town and the bocce ball court and are pleased with the results. Despite rumors to the contrary, the city uses no chemical herbicides.

5. Staff Certification. The City's two public works maintenance workers have successfully completed certification levels based on exam results taken in Redding in May. Ryan Desmet achieved a grade three certification (higher than the grade 2 certification required), and newer hire Paul Rosenblatt achieved the required grade two certification (six months earlier than required).

6. Water Storage Tank Inspection In June the city's water storage tanks were inspected and approximately ¼ inch of sediment was removed from the bottom. The combined capacity is 300,000 gallons. Around 10,000 gallons were used in the cleaning process. Although a written report is forthcoming, the contractor commented informally that our tanks were "some of the best looking" redwood tanks he had seen for some time.

UPCOMING PRIORITIES:

- Implement budget for new fiscal year and begin process to close out old fiscal year.
- Deal with issues related to multiple active construction projects (stormwater, water treatment plant and Luffenholtz sediment reduction projects)
- Complete improvement projects budgeted in the new fiscal year (town hall and fire hall roof and fire hall extension)
- Continuously monitor city's cash position and project anticipated expenditures to position investments and available cash accordingly.
- Continue efforts to secure timely reimbursement from granting entities.

- Continue monitoring of consultant costs and projects to assure we remain within budget allocations.
- Continue to follow up on code violation issues, with special focus on sign code compliance.
- Continued involvement in multiple legal claims.
- Continue with town hall ADA projects and begin planning for improvements to City Clerk's area.
- Continue to work with Coastal Commission staff on City projects awaiting Commission approval.
- Welcome a new city manager.



CONSENT AGENDA ITEM 3

SUPPORTING DOCUMENTATION FOLLOWS WITH: 2 PAGES

3. Law Enforcement Report June & July, 2014

Trinidad City Manager

From: Wilcox, Pam <PWilcox@co.humboldt.ca.us>
Sent: Thursday, July 10, 2014 9:49 AM
To: citymanager@trinidad.ca.gov
Subject: activity

ACTIVITY REPORT TRINIDAD BY DEPUTY WILCOX

06/01/2014-06/30/2014

- Hiked trails with State Parks and Deputies in search of transient camps on three separate occasions. Two occupied camps located, three abandoned.
- Attended Fish Fest. Attended meetings prior to the event. Had one intoxicated subject. He was dancing, tripped over curb and hit his head.
- Found dog loose at 505 West. Owner met me at the door. (heard the tenants who own the dog are currently being evicted).
- Numerous citizen contacts.
- Regular patrol and intel gathering at Hidden Creek.
- Responded to hit and run traffic collision in Murphy's Market parking lot. The suspect was located at the rest stop north of Trinidad.
- Arrested subject on Parole at the casino. Casino personal contacted and informed me the subject was trespassing.
- Responded to family disturbance on Patricks Point Drive. Problem appears to have been resolved.
- Responded to a burglary at 400 Patricks Point Drive. Unknown person kicked in the door and stole numerous power tools. Followed up with a suspect lead at Hidden Creek. No tools have been located.
- Followed up on issues regarding the Wagner Street Trail.
- Took a report of a stolen chainsaw from Moonstone Beach. Item had been taken over month prior to a call to law enforcement.
- Sent two people to Orick via bus vouchers. Handed one food voucher.
- Midway Trailer Park. Ongoing noise/neighbor complaints. Met with manager and involved parties. Continuing to resolve the issue. Problem involves two neighbors.
- Responded to Trinidad Trailer Park. Disturbance over an eviction. Issue was resolved and tenant moved out.
- Contacted and arrested a high risk sex offender, at the Post Office, who was out of compliance.
- During patrol located a stolen vehicle at Hidden Creek Trailer Park. Suspect was taken into custody. She was staying in a cabin next to the managers.
- Removed abandoned vehicle from city property.
- Made two arrests for public intoxication.
- Arrested known person on probation. He possessed narcotics and other illegal substances.
- Booked in or located owners for various found property.
- Detained two persons for a mental evaluation.

Trinidad City Manager

From: Wilcox, Pam <PWilcox@co.humboldt.ca.us>
Sent: Wednesday, August 06, 2014 3:54 PM
To: Trinidad City Manager (citymanager@trinidad.ca.gov)
Subject: new

ACTIVITY REPORT TRINIDAD BY DEPUTY WILCOX

07/01/2014-07/31/2014

- Hiked trails with State Parks and Deputies in search of transient camps. No occupied camps located.
- Numerous citizen contacts.
- Regular patrol and intel gathering at Hidden Creek. Arrested five people associated with Hidden Creek. Three pounds of methamphetamine, heroin, marijuana, and a firearm was collected. Met with owner, Tim Walsh.
- Followed up on issues regarding the Wagner Street Trail.
- Took a report of a two stolen bicycles from Moonstone Beach. Victims were from out of town. Bicycles have not been located as of this time.
- Sent one people to Orick via bus vouchers. Handed two food vouchers.
- Midway Trailer Park. Ongoing noise/neighbor complaints. Met with manager and involved parties. Continuing to resolve the issue. Problem involves two neighbors.
- Booked in or located owners for various found property.
- Took a vandalism report. Unknown person sprayed graffiti under over pass in Trinidad.
- Contacted subject under influence of a controlled substance. Located methamphetamines on his person. He was taken to jail for the narcotics and probation violations.
- Took two missing persons report. Persons were out of town and had arranged to meet the missing person in Trinidad. Both persons were located and sounded like it was a misunderstanding in both instances.
- Investigated a child abuse report. The case was unfounded.
- Assisted CWS in child neglect case. CWS is monitoring and will advise if they need additional assistance.
- Attended court hearings.
- Communicated with Ginger Campbell regarding Neighborhood Watch program. I am scheduled to speak during a meeting in August.
- Had vehicle associated to Hidden Creek towed for expired registration. The vehicle owner had been previously warned.
- Met with numerous citizens of Trinidad.
- Incurable juvenile call for service. Parties were counseled.
- Firework calls for service. None were serious mostly noise complaints.
- Threats report call. Person received text messages from an unknown person. Sounds as if they had the wrong number. The person has not received any additional messages.
- Detained person at State Beach for a mental health evaluation. He was transported to Semper Virens for treatment.
- Responded to alarm at residence. Residence appeared secure. Unknown cause.
- Verbal altercation near Strawberry Rock. Parties were separated and counseled.
- Numerous calls regarding an individual who lost her vehicle, it was located. Working on a long term solution to help her.



CONSENT AGENDA ITEM 4

SUPPORTING DOCUMENTATION FOLLOWS WITH: 4 PAGES

4. Resolution 2014-11; Retroactive Letter of Support on Illegal Marijuana Grows.

CONSENT AGENDA ITEM

Date: August 13, 2014

Item: Retroactive Support of Letter on Environmental Impacts of Illegal Marijuana Grows

Background: The League of California Cities – Redwood Empire Division requested letters of support from its members for a resolution calling upon the Governor to address the environmental impacts of illegal marijuana grows throughout California.

In order to meet the deadline for consideration at the League's General Assembly, the Mayor signed a letter of support and this agenda item requests retroactive concurrence.

Proposed Action: Retroactively support the letter signed by the Mayor on addressing environmental impacts of illegal marijuana grows.

Attachments:

July 2, 2014 letter of support
Resolution

CITY OF TRINIDAD

P.O. Box 390
409 Trinity Street
Trinidad, CA 95570
(707) 677-0223
Fax: (707) 677-3759



July 2, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Trinidad supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue.

Sincerely,

Julie Fulkerson
Mayor

Cc: Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division



RESOLUTION 2014-11

**A RESOLUTION CALLING UPON THE GOVERNOR AND THE LEGISLATURE TO
CONVENE A SUMMIT TO ADDRESS THE DEVASTATING ENVIRONMENTAL
IMPACTS OF ILLEGAL MARIJUANA GROWS ON BOTH PRIVATE AND PUBLIC
LANDS THROUGHOUT CALIFORNIA AND THE INCREASING PROBLEMS TO
PUBLIC SAFETY RELATED TO THESE ACTIVITIES BY WORKING IN
PARTNERSHIP WITH THE LEAGUE OF CALIFORNIA CITIES TO DEVELOP
RESPONSIVE SOLUTIONS AND TO SECURE ADEQUATE FUNDING FOR COST-
EFFECTIVE IMPLEMENTATION STRATEGIES**

WHEREAS, public concerns in response to widespread damage to fish and wildlife resources and degradation to California's environment, and threats to public safety resulting from illegal marijuana cultivation statewide requires urgent action by the Governor and the Legislature, and

WHEREAS, local governments and the public support the State's primary objectives in complying with environmental laws including the Clean Water Act, Porter-Cologne Water Quality Control Act, and Endangered Species Act and are supported by substantial public investments at all levels of government to maintain a healthy and sustainable environment for future citizens of California, and

WHEREAS, illegal marijuana cultivation activities include habitat destruction and fragmentation, poaching wildlife, illegal water diversions, unregulated use of fertilizers, pesticides, insecticides, rodenticides, soil amendments contaminating land and waters without regard for the cumulative impacts to the environment or public health, and

WHEREAS, changing global climate conditions are posing escalated threats in California to health, well-being, nature and property, as evidenced by critical water shortages across the state due to prolonged drought conditions, and

WHEREAS, illegal water diversion for the purpose of cultivating marijuana plantations poses a direct threat to California's endangered and threatened anadromous fish species, including coho salmon, Chinook salmon, steelhead trout and other aquatic species, especially at critical life phases during seasonally low flow conditions, and

WHEREAS, California is a leader in the global effort to fight climate change and is pursuing a broad, integrated strategy to reduce greenhouse gas emissions and conserve energy, yet in a recent Lawrence Livermore Lab study estimated that upwards of 10% of electricity usage statewide can be attributed to indoor marijuana cultivation; these sites are often the causation of fires and home invasion incidents due to criminal activity, and

WHEREAS, the presence of illegal marijuana growing sites on State and federal public lands is creating unsafe conditions for visitors; these lands are taxpayer supported and intended to be managed for recreation, resource conservation and the enjoyment by the public, and

WHEREAS, increasing violence and threats to public safety related to illegal marijuana grows is contributing to a sense of lawlessness and impacting nearby communities where criminal activities are expanding, and

WHEREAS, the issue of illegal marijuana grows has reached a crisis level across the state as evidenced by the murder of former League Board member, Fort Bragg Councilmember and veteran forester Jere Melo who was fatally shot down while investigating a report of a marijuana grow on private timberlands in northern California.

RESOLVED, at the League General Assembly, assembled at the League Annual Conference on September 5, 2014 in Los Angeles, that the League calls for the Governor and the Legislature to work with the League and other stakeholders to convene a summit to address the devastating environmental impacts of illegal marijuana grows on both private and public lands and the increasing problems to public safety related to these activities.

FURTHER RESOLVED, that the League will work with its member cities to educate State and federal officials regarding emerging concerns from their communities and citizenry and to the challenges facing local governments. Therefore, we request the Governor and the Legislature to work with the League to provide responsive solutions with adequate funding support and effective State and federal government leadership to address widespread environmental damage and associated threats to public safety impacting every region in the State of California.

PASSED AND ADOPTED by the Trinidad City Council, of Humboldt County, of the State of California this 13th day of August, 2014.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the Trinidad City Council by the following vote:

Ayes:
Noes:
Absent:
Abstain:

Attest:

Gabriel Adams
Trinidad City Clerk

Julie Fulkerson
Mayor



CONSENT AGENDA ITEM 5

SUPPORTING DOCUMENTATION FOLLOWS WITH: 1 PAGES

5. Supplemental Budget for cemetery Plot Plan

CONSENT AGENDA ITEM

Date: August 13, 2014

Item: Supplemental Budget to Update Trinidad Cemetery Plot Plan

Background: In March, 2014, your Council accepted a proposal from GHD to update the cemetery plot plan and approved a supplemental budget in the amount of \$1,500 for this effort. This project involved updating the map and detailing the current occupied and vacant cemetery plots that was last updated in 1998. Subsequent activity over the past twenty years has been handwritten on the map.

GHD has now completed the project, but the effort was significantly more than anticipated. While it was originally thought to be a relatively simple exercise, as they got into the work they ran into a number of unforeseen issues with the information provided that drastically increased the effort required. The issues included inconsistencies with the numbering system, varying plot sizes, discrepancies between the handwritten plan and spreadsheet and unreadable names. The budget was \$1,500, but the expenditures have exceeded \$5,000, even though GHD relied on a lower bill out rate intern to reduce the costs for the tedious/repetitive tasks such as for data input.

GHD has requested consideration for increasing the allowable budget, and because the significant number of inconsistencies were not anticipated, staff has agreed to recommend a cost share for the difference of the original budget of \$1,500 and actual expenditures of \$5,000. If the Council is agreeable to this cost share, an additional \$1,750 would be billed to the city. GHD would then absorb the remaining \$1,750 in cost overruns.

There are sufficient funds in the carry forward balance in the Cemetery Fund (\$149,709 as of 6/30/2013 audit).

Proposed Action:

Approve a supplemental budget to increase the costs to the city for updating the cemetery plot plan from \$1,500 to \$3,250 (\$1,750 increase).



CONSENT AGENDA ITEM 6

SUPPORTING DOCUMENTATION FOLLOWS WITH: 1 PAGES

6. Resolution 2014-10; Acknowledging the public service of residents Stan Binnie and Kim Tays

TRINIDAD CITY HALL
P.O. Box 390
409 Trinity Street
Trinidad, CA 95570
(707) 677-0223

Julie Fulkerson, Mayor
Gabriel Adams, City Clerk



RESOLUTION 2014-10

ACKNOWLEDGING THE PUBLIC SERVICE OF STAN BINNIE AND KIM TAYS-BINNIE

Whereas, Stan Binnie served as a Councilmember from 2006 to 2010 and as Mayor from 2008-2010, and

Whereas Kim Tays Binnie served in numerous capacities as citizen and participated in countless City Planning Commission, Public Hearings and Council Meetings where she fully researched issues and presented clear content and suggested solutions; and

Whereas, Stan and Kim Binnie were instrumental in getting two huge, unsightly utility poles undergrounded; worked toward getting abandoned poles and posts removed around town; were instrumental in encouraging a large business to install a smaller, less obtrusive price sign and other improvements that minimized impact on the community; and

Whereas, Kim and Stan Binnie served on the Trinidad Head Committee and contributed hundreds of hours studying history and culture of the Head, sorting out multi-agency linkages, ultimately writing the Trinidad Head Report and initiating the Trail Stewards effort; and

Whereas, Stan and Kim Binnie walked hundreds of miles, nearly every day picking up pounds of litter at the entrance to Trinidad and along the 101 Freeway entrances; worked together and with others to renovate Trinidad Town Hall, inside and out; sanded, scraped, painted; made repairs to benches, doors and fixtures; and arranged for installation of the new storage shed adjacent to Town Hall;

Now therefore, be it resolved the City Council of Trinidad congratulates and thanks Stan and Kim Binnie for years of well-researched, whole-hearted and dedicated service to the citizens of Trinidad and to the future well-being of the community; and wishes Kim and Stan the best of travels and future adventures.

PASSED AND ADOPTED BY THE TRINIDAD CITY COUNCIL of Humboldt County of the State of California this 13th day of August, 2014.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the Trinidad City Council by the following vote:

Ayes:

Noes:

Absent:

Abstain:

Attest:

Gabriel Adams
Trinidad City Clerk

Julie Fulkerson
Mayor



CONSENT AGENDA ITEM 7

SUPPORTING DOCUMENTATION FOLLOWS WITH: 4 PAGES

7. Letter of Support for AB 1839 – California Film and Television Job Retention and Promotion Act.

Assemblymember Ian C. Calderon
Chair, Committee on Arts, Entertainment,
Sports, Tourism, & Internet Media
Capitol Office
P.O. Box 942849, Room 5150
Sacramento, CA 94249-0057

AB 1839: SUPPORT

Dear Assemblymember Calderon,

The City of Trinidad expresses our support of AB 1839 – California Film and Television Job Retention and Promotion Act. The Humboldt County Film Commission represents our region which benefits our remote Northern California for film production.

The current modest California Film and Television Tax Credit Program, while helping, has not saved our region from losing numerous jobs, revenue, and tax dollars to other states and countries. In the past decade, my county has seen film and television production decline dramatically. Your bill will decidedly address the limitations of the present incentive program—and help to make California competitive again.

The North Coast can benefit from film production. Wherever a film crew uses locations, it purchases what it needs from a diverse array of local businesses as well as paying for permits, police help, fire safety, and more. Spending takes place at hotels, gas stations, restaurants, hardware stores, gyms, beauty salons, dry cleaners, department stores, party rentals, and caterers. And productions frequently hire local residents as crew and background extras, and pay film students to be production assistants.

Though we are remote in many ways, commercials, documentaries and films that show this region add tremendous value to tourism and respect for the Ancient Redwoods, Coastline and wild rivers. The entire state benefits with film industry enhancements.

In 2012-2013, of the 54 large live action feature films that were shot, only one filmed exclusively in California. These big-budget movies generate the most jobs and revenue, but presently they do not qualify for our state tax credit program. They film out-of-state because that is where they get the large incentive packages. For many years, California was home to one-hour dramatic television shows. Now, many of those shows have left. In 2005, California hosted 51 of the 79 one-hour dramas made, but in 2013, that number fell to 39 out of 137 shows.

These numbers would be bleaker were it not for the state's current production incentive. It has created 20,000 new jobs and provided more than \$4.5 billion in direct spending. But it is limited in eligibility and funding. Right now, only about 50 projects a year can receive the tax credit. So many more productions are turned away, taking to other states or countries hundreds of millions of dollars in expenditures that would have otherwise been spent here.

AB 1839 would expand the current production incentive program beginning in 2016 to include one-hour dramas and large budget feature films. There is an added incentive for filming outside the Los Angeles area to support increased production for the entire state. It will help make California—the state known across the globe as the home of filmmaking—competitive once more.

We Californians don't want to lose these flagship industries of film and television. We ask you to take significant steps now to address the exodus of film and television production from our state.

Sincerely,

Julie Fulkerson, Mayor

Dwight Miller, Vice Mayor

Jim Baker, Councilmember

Tom Davies, Councilmember

Jack West, Councilmember

CC: Assemblymember Marie Waldron, Vice Chair
Assemblymember Richard Bloom
Assemblymember Cheryl R. Brown
Assemblymember Jimmy Gomez
Assemblymember Marc Levine
Assemblymember Scott Wilk

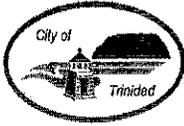
**CA State Assembly
Committee on Arts, Entertainment, Sports, Tourism, and Internet Media**

<http://aart.assembly.ca.gov/membersstaff>

Members

Committee Members	District	Office & Contact Information
<p><u>Ian C. Calderon (Chair)</u> Tom White, COS / Legislative Director tom.white@asm.ca.gov</p>	<p>Dem - 57</p>	<p><u>Contact Assembly Member Ian C. Calderon</u> Capitol Office P.O. Box 942849, Room 5150, Sacramento, CA 94249-0057; (916) 319-2057</p>
<p><u>Marie Waldron (Vice Chair)</u> Ryan Clumpner, COS ryan.clumpner@asm.ca.gov & Andrea Gutierrez, Leg. Director andrea.gutierrez@asm.ca.gov</p>	<p>Rep - 75</p>	<p><u>Contact Assembly Member Marie Waldron</u> Capitol Office P.O. Box 942849, Room 5128, Sacramento, CA 94249-0075; (916) 319-2075</p>
<p>Richard Bloom Sean MacNeill, COS / Comm. Dir sean.macneil@asm.ca.gov Guy Strahl, Leg. Director guy.strahl@asm.ca.gov</p>	<p>Dem - 50</p>	<p><u>Contact Assembly Member Richard Bloom</u> Capitol Office P.O. Box 942849, Room 2179, Sacramento, CA 94249-0050; (916) 319-2050</p>
<p>Cheryl R. Brown Larry Broussard, COS larry.broussard@asm.ca.gov Shannon McKinley, Leg. Director shannon.mckinley@asm.ca.gov</p>	<p>Dem - 47</p>	<p><u>Contact Assembly Member Cheryl R. Brown</u> Capitol Office P.O. Box 942849, Room 2196, Sacramento, CA 94249-0047; (916) 319-2047</p>
<p><u>Jimmy Gomez</u> John Scribner, COS john.scribner@asm.ca.gov Christina Romero, Leg. Director christina.romero@asm.ca.gov</p>	<p>Dem - 51</p>	<p><u>Contact Assembly Member Jimmy Gomez</u> Capitol Office P.O. Box 942849, Room 2176, Sacramento, CA 94249-0051; (916) 319-2051</p>
<p>Marc Levine Michael Müller, COS michael.mueller@asm.ca.gov Ryan Ojakian, Leg. Director ryan.ojakian@asm.ca.gov</p>	<p>Dem - 10</p>	<p><u>Contact Assembly Member Marc Levine</u> Capitol Office P.O. Box 942849, Room 2137, Sacramento, CA 94249-0010; (916) 319-2010</p>

Committee Members	District	Office & Contact Information
<u>Scott Wilk</u> Graig Wilson, COS <u>graig.wilson@asm.ca.gov</u> Curtis Raulinaitis, Leg. Director <u>curtis.raulinaitis@asm.ca.gov</u>	Rep - 38	<u>Contact Assembly Member Scott Wilk</u> Capitol Office P.O. Box 942849, Room 4153, Sacramento, CA 94249-0038; (916) 319- 2038



CONSENT AGENDA ITEM 8

SUPPORTING DOCUMENTATION FOLLOWS WITH: 8 PAGES

8. Resolution 2014-12; Requesting Participation in Pilot Program for Control of Squatting in Private Residences

CONSENT AGENDA ITEM

Date: August 13, 2014

Item: Resolution to Participate in Pilot Program for Control of Squatting in Private Residences (Assembly Bill 1513)

Background: The Humboldt Association of Realtors has asked local entities to request inclusion in a pilot program to allow local agencies the authority to evict unlawful occupants of residential property. There are currently no statutes designed to assist homeowners and law enforcement officials with preventing occupancy of or removing unauthorized residents (squatters) from vacant properties. Assembly Bill 1513 will facilitate the ability of law enforcement officials to remove squatters from unauthorized occupancy. Entities can "opt" in to the program if an official request is made before the amendment deadline of August 22, 2014.

Proposed Action: Adopt Resolution No. 2014- 12 authorizing the City of Trinidad to Participate in the Pilot Program for Control of Squatting in Private Residences

Attachment: July 1, 2014 letter from Humboldt Association of Realtors



July 1, 2014

RECEIVED JUL 09 2014

Julie Fulkerson, Mayor
City of Trinidad
409 Trinity
Trinidad, CA 95570

Re: AB 1513 Squatters – Pending Legislation

Dear Mayor Fulkerson,

Under California law, it can take 30-60 days, or even longer, to evict a squatter. Unlawful detainer procedures are geared toward situations in which a tenant is evicted for failure to pay rent or having committed a violation of the rental agreement. There are currently no statutes designed to assist homeowners and law enforcement officials with preventing occupancy of or removing unauthorized residents (squatters) from vacant properties.

As introduced, **AB 1513 (Fox)** proposed to define the unlawful entering or possession of any real property as a felony and provided local agencies express authority to evict such unlawful occupants of residential property. The Legislature, however, was not inclined to create a new felony. Consequently, AB 1513 has been amended to establish a pilot program, currently limited to the cities of Lancaster and Palmdale in L.A. County, which will be in place through December of 2017. **Additional cities or counties can "opt in" if they make an official request, in the form of a letter or a Resolution, to the bill's author, Assemblyman Steve Fox.**

This program will permit the owner, or their agent, of a vacant property to register it with local law enforcement and file a "Declaration of Ownership" with the District Attorney. Upon notification of unauthorized occupants, local law enforcement will respond and require the "squatters" to provide written evidence that they are legally entitled to be there within 48 hours. If the property occupants are unable to provide such verification within 48 hours they will be removed from the property by law enforcement, and, upon conviction, can be subject to 1 year of jail time and a fine of up to \$1,000.

The Humboldt Association of Realtors® highly encourages the City of Trinidad to review this pending legislation, a copy of the marked up bill is attached. We ask that you request the City of Trinidad be included as a participant in this pilot program. Inclusion must be requested before a final amendment deadline of August 22, 2014.

PRESIDENT

Victoria Copeland

PRESIDENT-ELECT

Jeremy Stanfield

SECRETARY/TREASURER

Brenda Lockhart

PAST PRESIDENT

Michelle Voyles

MULTIPLE LISTING CHAIR

Robin Ronay

AFFILIATE LIAISON

Kim Preston

DIRECTORS AT LARGE

Steve Brodhag

Katie Casall

Victoria Foersterling

Tom Hiller

Joe Matteoli

Andy Parker

Marci Pigg

Kathl Ray

Tracy Shumard

Dean Wilson

Joyce West

EXECUTIVE OFFICER

Lols Lee Busey



Julie Fulkerson, Mayor
July 1, 2014
Page #2

The eviction of squatters continues to be a lengthy and difficult process. Your consideration of this request is greatly appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Victoria Copeland". The signature is written in black ink and is positioned below the word "Sincerely,".

Victoria Copeland
President

Attachment
Cc: City Council Members



AB-1513 Residential property: possession by declaration. (2013-2014)

AMENDED IN ASSEMBLY MAY 06, 2014

AMENDED IN ASSEMBLY APRIL 24, 2014

AMENDED IN ASSEMBLY APRIL 08, 2014

AMENDED IN ASSEMBLY MARCH 17, 2014

CALIFORNIA LEGISLATURE— 2013-2014 REGULAR SESSION

ASSEMBLY BILL

No. 1513

Introduced by Assembly Member Fox

January 15, 2014

An act to add and repeal Sections 602.55 and 602.56 of the Penal Code, relating to residential property.

LEGISLATIVE COUNSEL'S DIGEST

AB 1513, as amended, Fox. Residential property: possession by declaration.

Existing law allows a plaintiff, upon motion, to have immediate possession of the premises of a manufactured home, mobilehome, or real property by a writ of possession issued by a court and directed to the sheriff of the county or marshal, for execution, where it appears to the satisfaction of the court, after a hearing on the motion, from the verified complaint and from any affidavits filed or oral testimony given by or on behalf of the parties, that the defendant resides out of state, has departed from the state, cannot, after due diligence, be found within the state, or has concealed himself or herself to avoid the service of summons.

Existing law provides that every person who willfully commits a trespass is guilty of a misdemeanor.

This bill would, ~~only~~ until January 1, 2018, allow a property owner, or an agent of the property owner, of residential property in the Cities of Palmdale and Lancaster in the County of Los Angeles, to register vacant real property with the local law enforcement agency and to execute, under penalty of perjury, a Declaration of Ownership of Residential Real Property. By expanding the scope of the crime of perjury, this bill would impose a state-mandated local program.

This bill would allow a property owner, or an agent of the property owner, of residential property in the Cities of Palmdale or Lancaster in the County of Los Angeles, to file the Declaration of Ownership of Residential Real Property with the district attorney of the jurisdiction in which the property is located. The bill would require the property owner to post the filed declaration on the property listed in the declaration. The bill would require the local law enforcement agency with which the property is registered to respond as soon as practicable after being notified that an unauthorized person has been found on the property and take specified action, including

requiring a person who is found on the property to produce written authorization to be on the property, and advising any person who does not produce that authorization that he or she has 48 hours to obtain it, and is subject to arrest for trespass if he or she is subsequently found on the property without it. The bill would provide that a person who is found on the property not less than 48 hours after being so notified *is guilty of trespass* and, if convicted of trespass, is subject to imprisonment in a county jail not exceeding one year, or a fine not exceeding \$1,000, or both that imprisonment and fine. ~~The bill would also set forth procedures governing the disposition of personal property remaining on the real property following the arrest of a person for trespass.~~ By imposing new duties on local law enforcement agencies and by expanding the scope of the crime of trespass this bill would create a state-mandated local program.

The bill would provide that its provisions apply only to one-unit to four-unit residences *in the Cities of Palmdale and Lancaster in the County of Los Angeles.*

This bill would make legislative findings and declarations as to the necessity of a special statute for the Cities of Palmdale and Lancaster in the County of Los Angeles.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Approval: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares that the practice of squatting on vacant property is a public nuisance and is detrimental to the health, safety, and economy of local communities and to the rights of real property owners. The intent of this section is to provide a means to deter squatting at an early stage and to provide a second chance for squatters to vacate the premises in lieu of arrest. The Legislature also declares this section not to be an abridgment of other statutes relating to trespass or civil eviction proceedings.

SEC. 2. Section 602.55 is added to the Penal Code, immediately following Section 602.5, to read:

602.55. (a) The owner or owner's agent of vacant real property may register the property with the local law enforcement agency utilizing the form contained in subdivision (a) of Section 602.56.

(a)

(1) The registration shall be signed under penalty of perjury and include:

(1) ~~A statement~~ *state* that the property is vacant and is not authorized to be occupied by any person.

(2) The *registration shall be accompanied with a statement providing the name, address, and telephone number at which the owner can be contacted within a 24-hour period.*

(3) ~~A period and a~~ *statement* that either the law enforcement agency or a licensed private security services company has been retained to comply with the inspection and reporting provisions of this section, together with a copy of any agreement or contract to perform those services.

(b) The owner or the owner's agent shall register the vacant property no later than three days after the owner or owner's agent learns that the property is vacant.

(c) The owner or owner's agent, immediately after authorizing a person to occupy the vacant property, shall do both of the following:

(1) Issue a written authorization to the person authorized to occupy the property.

(2) Notify the law enforcement agency where the property is registered and terminate the registration.

(d) The licensed private security services company or law enforcement agency selected by the owner or owner's

agent pursuant to this section shall do both of the following:

(1) Inspect the vacant property not less than once every three days.

(2) Immediately notify the law enforcement agency with which the property is registered if any unauthorized person is found on the property.

(e) The law enforcement agency where the property is registered shall respond as soon as practicable after being notified pursuant to paragraph (2) of subdivision (d) that an unauthorized person is found on the property. The responding officer shall do all of the following:

(1) Verify that the property was inspected within the last three days pursuant to paragraph (2) of subdivision (d) and found to be vacant.

(2) Ascertain the identity of any person who is found on the property.

(3) Require a person who is found on the property to produce written authorization to be on the property.

(4) Advise any person who does not produce written authorization pursuant to paragraph (3) that he or she has 48 hours to obtain written authorization from the owner of the property, or the owner's agent, to be on the property, and that the person will be subject to arrest for trespass if the person is subsequently found on the property without that authorization.

(5) Verify with the owner or the owner's agent that the property is vacant.

(f) Any person who is found on a vacant property not less than 48 hours after being notified as provided in paragraph (4) of subdivision (e) is guilty of trespass and, upon conviction, is subject to imprisonment in a county jail not exceeding one year, or by a fine not exceeding one thousand dollars (\$1,000), or both.

~~(g) The procedures set forth in Chapter 5 (commencing with Section 1980) of Title 5 of Part 4 of Division 3 of the Civil Code govern the disposition of any personal property remaining on the vacant property following the arrest for trespass pursuant to this section of a person who owns the personal property. For purposes of applying those procedures, a person who is arrested for trespass shall be deemed to be a former tenant of the property.~~

~~(h)~~

~~(g) This section shall not be construed to limit the owner's right *an owner from seeking other legal remedies* to have a person removed from the vacant property pursuant to any other law.~~

~~(i)~~

~~(h) The arrest of a person and removal of personal property pursuant to the provisions of this section is not a forcible entry under the provisions of Section 1159 of the Code of Civil Procedure and shall not be a basis for civil liability under that section. *Procedure.*~~

~~(i)~~

~~(i) The local city council or board of supervisors shall establish fees for registering a vacant property with the local law enforcement agency and for the conduct of inspections by the law enforcement agency pursuant to this section.~~

~~(j) *This section shall apply only to one-unit to four-unit residences in the Cities of Palmdale and Lancaster in the County of Los Angeles.*~~

~~(k) This section shall remain in effect only until January 1, 2018, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2018, deletes or extends that date.~~

SEC. 3. Section 602.56 is added to the Penal Code, to read:

602.56. (a) A property owner, or an agent of the property owner, may execute a "Declaration of Ownership" that includes language substantially similar to the language below and file it with the district attorney of the jurisdiction in which the property is located. If the property owner, or the agent of the property owner, files the declaration with the district attorney, he or she shall also post the declaration on the unoccupied residential property listed in the declaration.

"DECLARATION OF OWNERSHIP OF RESIDENTIAL REAL PROPERTY

I, _____, declare and state: I make this declaration based upon my own personal knowledge.

1. I am the owner____, or the agent of the owner____(check one), of the residential property located at _____, California ("Property").
2. Submitted with this declaration, and incorporated herein by reference, is a true and correct copy of the deed by which I obtained ownership of the Property.
3. Since obtaining ownership of the Property, no ownership interest in the Property has been conveyed or transferred to any other person or entity.
4. At the time of obtaining ownership of the Property, no person was occupying the Property and no ownership interest or right of possession in the Property has been conveyed or transferred to any other person or entity.
5. As of the present date, there are no persons authorized by me or my agent to reside within the Property. Any persons residing on this Property are doing so without any express or implied authorization from me or my agent.
6. I have not entered into any form of lease arrangement, rental agreement, or given any consent whatsoever to any persons to reside within the Property.
7. I will advise the district attorney if there is any change in the status of the Property and an occupancy is authorized by me or my agent.
8. I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on _____, at _____, California"

(b) This section shall ~~only apply~~ *apply only* to one-unit to four-unit residences *in the Cities of Palmdale and Lancaster in the County of Los Angeles.*

(c) This section shall remain in effect only until January 1, 2018, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2018, deletes or extends that date.

SEC. 4. *The Legislature finds and declares that a special law is necessary and that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances in the Cities of Palmdale and Lancaster in the County of Los Angeles, it is first necessary to establish this program in a limited setting to analyze its effectiveness before considering an extension to other local jurisdictions.*

~~SEC. 4.~~ **SEC. 5.** No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because, in that regard, this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

However, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.



RESOLUTION 2014-12

**RESOLUTION TO AUTHORIZE THE CITY OF TRINIDAD TO PARTICIPATE IN THE AB 1513
(FOX) STATE PILOT PROGRAM FOR CONTROL OF SQUATTING IN PRIVATE
RESIDENCES**

WHEREAS, there is currently no state law that provides local government officials with the specific tools they need to combat unlawful occupancy of residences by squatters; and

WHEREAS, owners of residences in California and their REALTORS are experiencing a significant rise in the number of residential properties that are unlawfully occupied by unauthorized individuals; and

WHEREAS, there are websites that provide "how to" guidelines for squatting on residential properties; and

WHEREAS, unlawful detainer laws are not designed to provide law enforcement officials the tools they need to assist owners of residential real property in their efforts to prevent occupancy by squatters of vacant properties; and

WHEREAS, AB 1513 is not intended to, and does not in any way, impact the landlord/tenant relationship; and

WHEREAS, AB 1513 specifically attempts to create a local government process designed to prevent unauthorized individuals from occupying residential properties; and

WHEREAS, the California Association of REALTORS is sponsoring, and the California Mortgage Association, the Apartment Association of Greater Los Angeles, the Santa Barbara Rental Property Association, and the Southwest California Legislative Council are supporting, AB 1513; and

WHEREAS, AB 1513 will enact a pilot program to "test the waters" for a system that will curtail squatting in vacant homes on a permanent basis; and

WHEREAS, only two jurisdictions are presently included in the Pilot Program to seek a solution to the squatters dilemma.

NOW, THEREFORE, BE IT RESOLVED, that the Trinidad City Council of hereby officially requests Assemblyman Fox to include the City of Trinidad in the AB 1513 Squatters Pilot Program.

PASSED AND ADOPTED by the Trinidad City Council, of Humboldt County, of the State of California this 13th day of August, 2014 by the following vote:

Ayes:
Noes:
Absent:
Abstain:

Attest:

Gabriel Adams
Trinidad City Clerk

Julie Fulkerson
Mayor



DISCUSSION AGENDA ITEM 1

SUPPORTING DOCUMENTATION FOLLOWS WITH: 4 PAGES

1. Discussion/Decision regarding Consideration of Fee Waiver for Removing and Replacement of Murphy's Market permitted marquee sign

DISCUSSION/ACTION AGENDA

Date: August 13, 2014

Item: Consider a partial fee waiver for sign permitting at Murphy's Center

Background: There is considerable interest in working toward consistent application of the city's sign rules and regulations, and funds have been budgeted in fiscal year 2014-15 to work toward such compliance. The Building Inspector will be tasked with creating an inventory of signs, and staff will work toward bringing signs into compliance and/or removing those that are non-permitted. Some of the signs have been in existence for some time, and it is important that the city work cooperatively with its valued businesses toward the goal of permit consistency.

Although the marquee at Murphy's is beneficial in that it is used for community announcements, and the folks at Murphy's have been wonderfully cooperative about including information to announce community events on the marquee, there are some who object to the sign's obstruction of the view of Trinidad Head at the entry to town. Although the marquee is a permitted sign, there are a number of other signs within Murphy's center that have been placed without benefit of a permit. With limited exceptions, most signs are only permitted subject to specific regulations and review and approval by the City's Planning Commission.

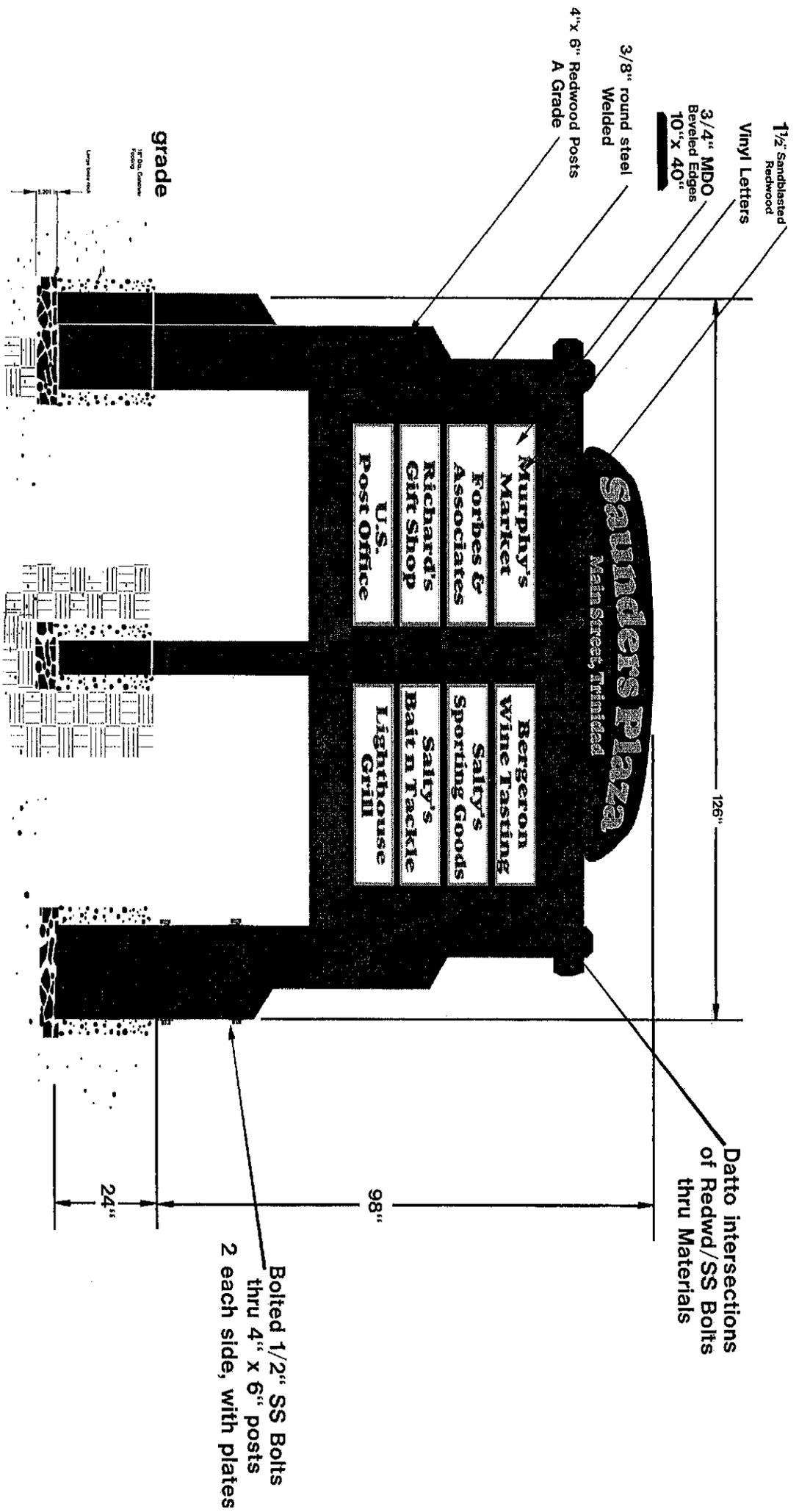
The Saunders family is proposing to remove the marquee and work with the tenants on existing signs (and new proposed signs) to bring the center into sign compliance. The family has already met with the tenants and is working on the design of a new and lower (non-view obstructing) wooden sign that would list the business names, and at the same time identifying "Saunders Plaza" on the new sign.

Because the marquee is a permitted sign, a partial fee waiver is recommended to be considered for city costs (primarily Planner costs) involved in permitting the new sign. Our normal process would be to collect a \$750 deposit up front, with actual costs accumulated and the difference either billed or refunded to the applicant. A cost share to remove and replace a permitted sign is suggested at 75% city/ 25% applicant. In exchange, the applicant would remove the marquee, and will work with the center's business owners to bring all center signs into compliance with the city's municipal code.

Proposed Action: Approve a 75% sign permit fee waiver (applicant to pay 25% of costs) to remove and replace the permitted sign at Murphy's.

Attachments:

1. Sign proposal to be submitted for Planning Commission Review
2. Trinidad Municipal Code section 17.56.160 pertaining to permitted signs



1 1/2" Sandblasted Redwood

Vinyl Letters

3/4" MDO Beveled Edges 10" x 40"

3/8" round steel Welded

4" x 6" Redwood Posts A Grade

126"

Datto intersections of Redwd/SS Bolts thru Materials

98"

Bolted 1/2" SS Bolts thru 4" x 6" posts 2 each side, with plates

24"

grade

J.P. DeL. Co. Trinidad

Large Sign 100

D. As used in this section, "bulk" means total interior cubic volume as measured from the exterior surface of the structure.

E. As used in this section, "disaster" means any situation in which the force or forces which destroyed the structure to be replaced were beyond the control of its owners.

F. As used in this section, "structure" includes landscaping and any erosion control structure or device which is similar to that which existed prior to the occurrence of the disaster.

G. Nothing in this section shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by government code. [Ord. 84-180 § 6.15, 1984; Ord. 175 § 2, 1981; Ord. 167 § 10, 1980; Ord. 166 § 6.15, 1979].

17.56.160 Signs.

A. In all zones the following signs shall be permitted; provided, that signs permitted in subsections (A) (2) and (3) of this section shall be subject to review by the planning commission:

1. A residential nameplate bearing the name of the occupant and not exceeding two square feet; provided, that three square feet shall be permitted for a residence with a home occupation;
2. Identifying sign and/or bulletin board for a church, school or other public or religious use, which may be indirectly lighted, not exceeding 32 square feet in area and located on the premises; provided, that it is no closer than 10 feet from any property line;
3. No more than two signs advertising a subdivision or housing development located on the premises thereof, unilluminated not exceeding 32 square feet in area each and not less than 10 feet from any property line;
4. Unilluminated signs not exceeding a total area of six square feet, and not more than two in number pertaining to the sale or lease of residential property and unilluminated signs not exceeding 32 square feet and not more than two in number pertaining to the sale or lease of land in the PD, VS and C zones;
5. Public safety and directional signs not exceeding two square feet including no trespassing signs; political campaign signs and posters, provided such signs and posters are removed not more than 30 days after the date of the election;
6. One temporary portable sign not exceeding 32 square feet in area, during one 15-day period in any calendar year.

B. In the PD, VS and C zones on-premises signs shall be permitted, subject to the following regulations and the review of the planning commission:

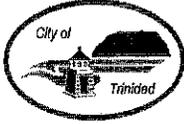
1. The total advertising area permitted for any parcel of land shall be one square foot for each foot of street frontage; provided, that any parcel shall be permitted at least 20 square feet of advertising area, but in no case shall the advertising area for any parcel exceed 300 square feet. No individual sign established after the adoption of the ordinance codified in this title shall be greater than 50 square feet in area;

2. No freestanding sign shall exceed the maximum building height for the zone in which the sign is located. Signs attached to buildings shall not project more than three feet above the roof line;
3. Signs projecting over public rights-of-way shall not exceed 32 square feet in area, shall not project more than five feet, and shall not be closer than 14 feet to the ground unless attached to the underside of a projecting canopy, in which case the sign shall not be more than six square feet in area and shall not be closer than nine feet to the ground or sidewalk;
4. Signs that rotate, blink, flash, sparkle, resemble traffic-control signs, obstruct the visibility of any traffic sign, and portable signs in a public right-of-way are prohibited. Nonappurtenant signs are prohibited except that a maximum of two directional signs of not more than four square feet each may be permitted adjacent to primary collector streets subject to obtaining a use permit; and provided, that multiple identification signs included within a community business directory shall be permitted in the C zone, subject to a use permit. [Ord. 2001-01 § 7, 2002; Ord. 166 § 6.16, 1979].

17.56.170 Landscaping and screening.

These regulations are intended to protect individual properties from traffic glare and to improve the appearance of new development in the city:

- A. Maintenance. All required planting shall be maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, weeding, cleaning, fertilizing and regular watering. Whenever necessary, planting shall be replaced with other plant materials to ensure continued compliance with applicable landscaping requirements. All screening shall be in sound functional condition, or, whenever necessary, repaired and replaced.
- B. Materials. Where trees are required in a new development they shall be of a species, degree of maturity, and spacing acceptable to the design assistance committee. Where dense landscaping to a specified height is prescribed, it shall be of a type that will provide a year-round barrier to the prescribed heights, and shall be so spaced that vision of objects on the opposite side is effectively eliminated.
- C. Dense landscaping or solid wall or fence of a minimum height of six feet shall be provided along the rear and side property lines of any nonresidential use which abuts on a residential use; to screen any open area used for the storage of goods, materials, or waste from view from abutting properties and from public rights-of-way; to screen any open area used to display goods or materials for sale from abutting properties.
- D. Prescribed fences, walls or dense landscaping need not be provided along a lot line if a fence, wall or dense landscaping of at least equivalent height, density and maintenance exists immediately abutting and on the opposite side of the lot line.
- E. Perimeter landscaping shall be provided between parking spaces and adjacent street right-of-way whenever five or more parking spaces are required. Such landscaping area shall be at least four feet wide and protected from damage by a curb or header adjacent to the parking area. In addition, whenever five or more parking spaces are required one tree shall be provided, with an additional tree required for every 10 additional required parking spaces. Such trees shall be planted in tree wells at



DISCUSSION AGENDA ITEM 2

SUPPORTING DOCUMENTATION FOLLOWS WITH: 1 PAGES

2. Discussion/Update regarding Draft VDU Ordinance.

DISCUSSION AGENDA ITEM

August 13, 2014

Item: Vacation Dwelling Unit (VDU) Ordinance

At the June Council meeting, and at the request of Coastal Commission staff, the Council approved a 'Resolution of Withdrawal' for the VDU Ordinance Local Coastal Plan amendment application. The reason for this was because the ordinance has changed so much, Coastal Commission staff would prefer to bring a clean, revised ordinance before the Coastal Commission to avoid confusion and so they can recommend approval of the ordinance 'as submitted.' However, there is still one unresolved issue regarding the water use language in the ordinance, and staff has been continuing to negotiate with Coastal Commission staff on this last issue.

You may recall that the Coastal Commission wanted to see a numerical cap on VDU water use based on the design flow of the septic system (which is based on the number of bedrooms). However, the City wanted to ensure there was an appropriate allowance for landscaping. Coastal Commission staff suggested that City staff categorize the water use in the City based on the size of lots and number of bedrooms in the house. City staff attempted this, but found no pattern. However, it was also found that very few residences are actually using more water than the design flow of their septic systems, even including landscaping and other outdoor uses.

The Planner was able to obtain data on the number of bedrooms for 2/3 of the residences in the City (or 118). Only five of these used enough total water to exceed the design flow of their septic systems (3 VDUs and 2 non-VDUs). Of the remaining 58 properties without bedroom data, only the total water use of two of them exceeded the design flow for a 2-bedroom residence; neither of these residences are VDUs. Most of the design flow exceedances were by a small percentage, or had a reasonable explanation (e.g. formal landscaping, water leak). This indicates that excessive water use is not a problem, and therefore a reasonable numeric limit should not be objectionable.

We are working to resolve the underlined text: *"To prevent overloading of septic systems, each VDU shall be operated in a manner to ensure that the occupancy and use of a VDU shall not result in annual domestic water use greater than that associated with the non-VDU use of the residence based on an average daily consumption of 150 gallons per bedroom (7,324 cubic feet per year per bedroom) with a reasonable allowance for landscaping based on the lot size..."*

The Planner proposed two alternative solutions to Coastal Commission staff. (1) a 30% allowance above the design flow (150 gallons per bedroom per day) for landscaping, which was based on the national average of 30% (where the state average is around 55%). Or (2), a broad sliding scale based on lot sizes as found on the 'Save Our Water Website' maintained by the Association of CA Water Agencies. At this point, Coastal Commission staff prefer the single percentage for all VDUs, but they are not sure that 30% is the appropriate number. Therefore, they are going to do a little more research to see if they can come up with a number that is more specific to the north coast. Coastal Commission staff assured me that they are going to work on getting this nailed down within a reasonable period of time, so that we can have the regulations in place before next spring.

Recommended Action:

No action is proposed at this time, this is informational only.



DISCUSSION AGENDA ITEM 3

SUPPORTING DOCUMENTATION FOLLOWS WITH: 4 PAGES

3. Discussion/Decision to Accept Compensation Study Cost Quote.

DISCUSSION/ACTION AGENDA

Date August 13, 2014

Item: Accept the compensation study cost quote and approve a supplemental budget in the amount of \$8,134, with implementation of the study to be deferred for up to six months.

Background: During presentation of the city's budget, your council heard of staff's intention to present a proposal for a compensation study which was not ready at the time the budget was being considered. An acceptable proposal has now been received by the firm of Koff & Associates and is recommended for council consideration.

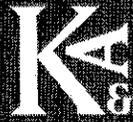
This proposal will update descriptions for four position classifications: City Clerk, Director of Public Works, Grants Manager and Records Manager. An updated job description was fairly recently developed for the position of Public Works Maintenance Worker when a position became vacant. Other positions have generalized duties and responsibilities upon which annual evaluations are based, but the descriptions for all positions should be formalized and defined in a consistent process to enable salary compensations based on level of responsibility, authority, difficulty and required training/experience.

In addition to development of formalized job descriptions, the proposed survey will compare salaries and benefits from comparable agencies for five position classifications (includes Public Works Maintenance Worker) and consider internal relationships as well. This will provide guidance in achieving proper salary differentials based on level of responsibility, and will be helpful in the city's ability to maintain and recruit quality staff, which is of particular important in such a small organization.

To allow the new city manager the opportunity to first get acquainted with the organization and staff responsibilities, it is proposed that implementation of the study not commence for a period of up to six months. The desired result is that the information in the final report be received by the council and available for consideration during preparation of the following year's budget.

Sufficient funds are available in the city's general fund carry forward balance (reserves).

Proposed Action: Accept the compensation study cost quote in the amount of \$8,134 with implementation to be delayed six months, and approve a corresponding supplemental budget.



Compensation Study COST QUOTE

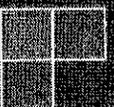
For The
City of Trinidad

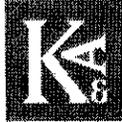
Koff & Associates

George Kramer
Chief Executive Officer

6400 Hollis Street, Suite 5
Emeryville, CA 94608
www.koffassociates.com

E: gkramer@koffassociates.com
P: 510.658.5633
T: 800.514.5196
F: 510.652.6633





Compensation Study Cost Quote

City of Trinidad

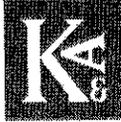
COST QUOTE FOR A COMPENSATION STUDY

	Compensation Study	Hours
A.	Initial Document Review/Meetings with Study Project Team and HR/Management Staff	2
B.	Identify Comparator Agencies, Benchmark Classifications, and Benefits to be Collected	10
C.	Interview 4 City Employees to Ensure Full Understanding of Duties, Assignments, and Level/Scope of Responsibility; Update Classification Descriptions for 4 Positions (City Clerk, Director of Public Works, Grants Manager, and Records Manager)	13
D.	Data Collection (5 survey classes and 12 comparator agencies): <i>Option 1: Base salaries only</i> <i>Option 2: Total compensation, including benefits</i>	16
E.	Analysis and Preliminary Data Review <i>Option 1: Base salaries only</i> <i>Option 2: Total compensation, including benefits</i>	8
F.	Draft Compensation Findings/Additional Analysis/Project Team Meeting and Informal Appeal Process	4
G.	Internal Relationship Analysis/Internal Alignment	4
H.	Salary Structure and Implementation Recommendation Development	4
I.	Development of Draft Final and Final Report and Deliverables	10
J.	Final Presentation	2
	Total Professional Hours	73
	Combined professional and clerical composite rate: \$108/Hour	\$7,884
	Expenses:	\$250
	Expenses include but are not limited to duplicating documents, binding reports, phone, fax, supplies, postage, etc.	
	TOTAL COMPENSATION STUDY COST:	\$8,134

REFERENCES

The following list includes project experience and client references from agencies that we conducted similar studies for within the last three (3) years.

City of Compton Compensation study completed in 2014.	Contact: Mr. Mario Beas Interim Director of Human Resources Phone: (310) 605-5635 205 S. Willowbrook Avenue
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Compensation Study Cost Quote

City of Trinidad

	Compton, CA 90220 E-mail: mbeas@comptoncity.org
City of Bellflower Total compensation study completed in 2007; compensation study completed in 2013.	Contact: Ms. Susan Crumly Human Resources and Risk Manager Phone: (562) 804-1424 16600 Civic Center Drive Bellflower, CA 90706 E-mail: scrumly@bellflower.org
City of Perris Classification and total compensation study 2007, organizational assessment study 2009, classification and total compensation work 2011, classification work completed April 2013.	Contact: Ms. Isabel Carlos Administrative Services Manager (951) 943-6100 101 N. D Street Perris, CA 92570 E-mail: icarlos@cityofperris.org
City of Novato Total Compensation study completed 2012.	Contact: Mr. Dan Weakley Human Resources Manager (415) 899-8918 75 Rowland Way #200 Novato, CA 94945 E-mail: dweakley@novato.org
City of Sausalito K&A performed a city-wide classification and total compensation study completed in 2012.	Contact: Mr. Charlie Francis Director of Administrative Services/ Treasurer (415) 289-4105 420 Litho Street Sausalito, CA 94965 E-mail: cfrancis@ci.sausalito.ca.us



DISCUSSION AGENDA ITEM 4

SUPPORTING DOCUMENTATION FOLLOWS WITH: 10 PAGES

4. Discussion/Decision regarding Approval of City Manager Contract.

DISCUSSION/ACTION AGENDA

Date: August 13, 2014

Item: Discussion/Decision Regarding Approval of City Manager Contract

Background: The City Council has conducted a successful recruitment for the position of city manager, following the notice given by the current manager at the meeting of May 14, 2014. As a result of this recruitment, an employment offer has been extended and accepted, and the attached media release was issued. Although personnel decisions are protected by the Brown Act and are not subject to public disclosure, the contract is a matter of public record and is presented herein for council consideration.

Proposed Action: Consider proposed contract.

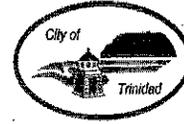
Attachments:

Media Release

Proposed Contract

CITY OF TRINIDAD

409 Trinity Street
Trinidad, CA 95570



Media Release

In a unanimous decision, the Trinidad City Council has selected Dan Berman as Trinidad City Manager to succeed Karen Suiker who is retiring. Mr. Berman has been working in coastal watershed management for the last thirteen years, including serving as the Program Director of the Morro Bay National Estuary Program, and the Director of Conservation for the Humboldt Bay Harbor, Recreation and Conservation District. Dan's background in water quality is a good fit for many of the significant projects underway in the City, including stormwater pollution management, water quality issues associated with septic systems, forestry and land use impacts on the Luffenholtz Creek water supply, and planning for sea level rise.

The Council is "thrilled to find someone with Dan's experience and knowledge" says Mayor Julie Fulkerson. Though a small village, Trinidad City Government is involved with countless projects and responsibilities for clean water and protection of the harbor and coastline along with basic City services. The City is engaged in over nine million dollars of recent past and current projects. Current City Manager, Karen Suiker has led the City through countless planning steps and projects over her tenure. "She has been a huge asset to the City and will be a hard act to follow." says Vice Mayor, Dwight Miller.

Dan grew up locally and has returned to serve his community. He currently lives in McKinleyville and enjoys playing music, coaching youth soccer, and riding bikes with his children. He says " I have always felt lucky to have grown up in this beautiful town. Trinidad is a truly special place, and I am honored to have the opportunity to come back home and serve the community. "

Contact:

Julie Fulkerson, Mayor, 707-845-1125

Karen Suiker, City Manager, 707-677-3876

This EMPLOYMENT AGREEMENT ("Agreement") is made and entered into on August 13th, 2014, by and between the **CITY OF TRINIDAD, CALIFORNIA**, (hereinafter "Employer"), and **DANIEL BERMAN** (hereinafter "Employee").

RECITALS

WHEREAS, the Employer desires to hire the Employee to perform the duties of City Manager for the City of Trinidad, California; and

WHEREAS, the Employer is represented in this Employment Agreement by its governing body, the City Council; and

WHEREAS, the Employee has significant applicable experience in local government and public sector management that qualifies him to perform the duties of City Manager; and

WHEREAS, the Employer and Employee have negotiated and agreed upon a job description, a compensation package, and an employment schedule that are acceptable to both parties.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

AGREEMENT

Section 1. DUTIES OF THE EMPLOYER

It shall be the responsibility of the Employer to provide timely support and assistance to the Employee in his role as the City Manager.

The Employer shall provide policy guidance to the Employee by ongoing acts of the City Council.

Section 2. DUTIES OF THE EMPLOYEE

A. City Management: It shall be the responsibility of the Employee to manage the daily affairs of the City of Trinidad in a manner that is consistent with the generally accepted practices of city management in the State of California.

B. Law Enforcement It shall be the duty of the Employee to see that all laws and ordinances of the Employer are duly enforced, and to see that all franchises, licenses, and permits granted by the Employer, and that contracts entered into by the Employer are faithfully performed and observed.

C. Authority Over Other Employees: It shall be the duty and the authority of the Employee to control and give directions to all department heads except the City Attorney and any employee of the Humboldt County Sheriff's Department who may be acting in the capacity of Trinidad Chief of Police.

D. Power of Appointment and Removal: It shall be the duty of the Employee to appoint, remove, promote, demote, suspend, or dismiss all officers and employees of the Employer, except the City Attorney, subject to all applicable personnel ordinances, rules and regulations. No department head shall be appointed or removed until the Employee has first reviewed such appointment or removal with the City Council, and received approval of such appointment or removal from the City Council, in Executive Session.

E. Legislative Recommendations: It shall be the duty of the Employee to recommend to the City Council for adoption of measures, ordinances, and resolutions as he deems necessary or expedient.

F. Council Meetings and Records: It shall be the duty of the Employee to prepare agenda materials for City Council meetings, and to maintain a complete and up-to-date record of the City Council meetings.

G. Attendance at City Council Meetings: The Employee shall attend all meetings of the City Council except (1) when specifically excused from attending a particular meeting, or (2) when his removal is under consideration by the City Council.

H. Financial Reports: The Employee shall keep the City Council at all times fully advised as to the financial condition and needs of the Employer.

I. Budget Preparation: It shall be the duty of the Employee to prepare and submit the proposed Annual Budget to the City Council for its consideration and to be responsible for the efficient administration of the budget after its adoption by the City Council.

J. Fiscal Responsibility: It shall be the responsibility of the Employee to allocate funds and approve expenditures necessary for the ongoing operations of the City of Trinidad, in accordance with allocation made in the approved and/or amended Annual Budget.

K. Long Term Planning: The Employee, with assistance from staff and consultants, shall develop long-range plans and capital improvement programs for maintaining and upgrading of City of Trinidad facilities and buildings,

L. Tracking Laws: The Employee shall keep track of changes to State and Federal laws that are applicable to the Employer.

M. Grant Applications: It shall be the responsibility of the Employee, with assistance from staff and consultants, to apply for and administer Federal, State, and private foundation grant funding.

N. Employee Relations: It shall be the responsibility of the Employee to carry out the labor relations process on behalf of the City Council.

O. Additional Duties: The City Council may, from time to time by ordinance, resolution, or other action, fix any such other terms and conditions of employment as it may determine, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, the City of Trinidad's Municipal Code, or any other law. It shall be the duty of the Employee to perform such other duties and exercise such other powers as may be delegated to him by the City Council.

Section 3. SPECIFIC PROJECT DUTIES

The Employer may direct the Employee to undertake and manage specific projects leading to the betterment of the City of Trinidad and the established policy guidelines of the City Council.

Specific projects will vary and will be defined by the City Council. Examples of specific projects may include updating of the General Plan, pursuit of improvements to the Water System, preparing or managing the preparation of new or amended plans or studies, undertaking of negotiations new or revised professional services, and solicitation of actions that would improve the revenue situation for the Employer.

Section 4. DIRECTION AND SUPERVISION OF THE EMPLOYEE

The Employee must be able to perform the duties of this position on an ongoing basis with minimal direction from the Employer.

The Employee shall take specific directions, orders, and instructions from the Employer through action of the majority of the City Council acting in a duly convened meeting, and no individual Council member shall give any orders or instructions to the Employee.

Section 5. WORK SCHEDULE OF THE EMPLOYEE

The Employer and the Employee agree that the Employee shall carry out the above responsibilities forty-seven weeks a year, at an average rate of 21

hours per week subject to approval by the Mayor, for an annual total of no more than 987 hours. Of the forty-seven weeks contracted for, it is anticipated and expected that the Employee shall work (a) at least one day each week, and (b) three days per week generally. The Employee shall receive advance approval from the Mayor for being absent any of the remaining five weeks of the year the Employee is not contracted to work at all.

The Employee will report for work at a work location to be provided by the Employer during normal work hours, and at such other times (such as evening meetings) as to be determined and agreed upon by the Employer and the Employee.

Of the contracted 987 hours annually, some flexibility in hours worked per day or per week is assumed, to allow for personal or family events, or for extraordinary council sessions, etc.

Section 6. COMPENSATION

The Employee shall be compensated for services at a rate of \$68,000 for the first year (\$68.89/hour times 987 hours). Second year compensation to be adjusted by same percentage as granted other city staff (annual COLA plus 2.5% step equivalent, the latter increase assuming satisfactory performance, same as is required of other city staff).

To the extent allowed by law, the Employee will be allowed to pay some of his hourly compensation, before taxes, into the Employer's deferred compensation plan.

The Employee shall be additionally compensated \$50.00 per month (\$600.00 annually) for use of his personal cell phone to handle necessary city business after hours. This cell phone compensation assumes reasonable access to the City Manager after hours by City Staff.

There are no other compensation or benefits provided to the Employee by the Employer.

Section 7. TERM

The term of this Agreement shall be from _____, 2014 through _____, 2016.

Employee agrees that, during the periods described in Section 5 herein, Employee remains in the exclusive employ of Employer during the employment term, and will neither accept employment nor become employed by another employer which requires the performance of work duties during the periods

described. Notwithstanding this, and at the sole discretion of Employer, Employee may accept compensation for outside consulting, writing, or speaking engagement; or while teaching or training; or while serving on the Board of Directors of one or more corporations; provided, however, that such outside activities or work are not inconsistent or incompatible with City of Trinidad employment.

At the end of the term of this Agreement, the Agreement shall be reconsidered by both parties and, at such time, may be terminated or extended with any modifications that are agreed upon by both parties.

Section 8. INDEMNIFICATION

In addition to that required under state and local law, the Employer shall defend, save harmless, and indemnify Employee against any tort, professional liability claim or demand or other legal action, whether groundless or otherwise, arising out of a lawful alleged act or omission occurring in the performance of Employee's duties. Employer will compromise and settle such claims or disputes as appropriate, and pay the amount of any settlement or judgment rendered thereon.

Section 9. PERFORMANCE EVALUATION

The City Council shall review and evaluate the performance of the Employee after the first year of this agreement concludes in March 2014 unless this Agreement has been terminated before that date. Said review and evaluation shall be in accordance with specific criteria developed jointly by Employer and Employee. Said criteria may be added to or deleted from as the Council may from time to time determine, in consultation with Employee. Further, the City Council shall provide the Employee with a summary written statement of the findings of the City Council and provide an adequate opportunity for the Employee to discuss his evaluation with the City Council.

Annually, the City Council and Employee shall define such goals and performance objectives that they determine necessary for the proper operation of the City of Trinidad and the attainment of the City Council's policy objectives, and shall further establish a relative priority among those goals and objectives, said goals and objectives to be reduced to writing. They shall generally be attainable within the time limitations as specified and the annual operating and capital budgets and appropriations involved.

In effecting the provisions of this Section, the City Council and Employee mutually agree to abide by the provisions of applicable law.

Section 10. AT-WILL EMPLOYMENT

This is an at-will employment relationship, and either the Employer or the Employee may terminate the relationship for any reason, with or without cause, and without prior written notice, except as specified in Section 11 of this Agreement.

Pursuant to the Trinidad Municipal Code, the parties acknowledge and agree that the City Manager serves at the pleasure of the City Council; that there exists no contract for or right of employment, either express or implied, with the sole exception of the provisions contained herein; that the City Council may terminate the employment of the Employee with or without cause; and that upon such termination, with or without cause, Employee's sole remedy under the laws of the State of California, the laws of these United States, the Trinidad Municipal Code, and this Agreement consists of the provisions contained herein.

Section 11. TERMINATION OF THE AGREEMENT

The removal/dismissal of the Employee shall be effected only by a majority vote of the entire City Council. In the event of termination of this Agreement by the Employer for cause, the Employee shall be provided no severance payment, and will be paid for any work done to the time of termination.

In the event of termination of this Agreement by the Employer without cause, the Employee shall be provided a severance payment equivalent to one month's pay at the Employee's current compensation level.

'Cause' for the purposes of this paragraph, shall be defined as a documented failure of the Employee to effectively perform the duties of the position as defined in Section 2, or other specific action by the Employee which a majority of the City Council finds to warrant termination of the agreement.

In the event that the City Council elects to terminate the Agreement, the Employee will be provided the option to resign from the position.

In the event of termination of this Agreement by act of the Employee, the Employee will act in a professional manner by giving 60 days notification to the City Council and will assist in whatever transition is necessary upon his termination of employment, within reason.

Section 12. AMENDMENTS

Unless otherwise specified herein, this Agreement may be changed or modified only upon written consent of the parties hereto.

Section 13. GENERAL PROVISIONS

If any provisions, or any portion thereof, contained in this Agreement are held to be unconstitutional, invalid, or unenforceable, the remainder of this Agreement or portion thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

If any provisions of the City of Trinidad's Personnel Rules, Regulations, and Policies conflict with the at-will employment status described in this Agreement, such conflicts will be resolved in favor of the at-will status contained in this Agreement.

Employer and Employee agree that they will, at all times, assist each other in defending any litigation involving the City of Trinidad, or Employer's duties with Employer, and Employer agrees to defend Employee against any claim or action against him arising out of an act or omission occurring with the scope of Employee's employment. The parties shall each comply with the requirements of Section 825 of the Government Code or its successor implementing this paragraph.

Section 14. ENTIRE AGREEMENT

This Agreement is intended by the parties hereto as a final expression of their understanding with respect to the subject matter hereof and as a complete and exclusive statement of the provision thereof and supercedes any and all prior agreements and understanding, oral or written, in connection therewith.

Section 15. COUNTERPARTS

This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together, shall constitute one and the same Agreement.

EXECUTION OF THE AGREEMENT

IN WITNESS THEREOF, the Employer and the Employee have executed this Agreement effective _____, 2014

EMPLOYER

By: _____
Mayor

Date: _____, 2014

EMPLOYEE

By: _____
Daniel Berman

Date: _____, 2014



DISCUSSION AGENDA ITEM 5

SUPPORTING DOCUMENTATION FOLLOWS WITH: 1 PAGES

5. Discussion/Decision to Appoint Subcommittee to Evaluate and Develop Procedures for Collection and Organization of Citizen Complaints.

DISCUSSION/ACTION AGENDA

Date August 13, 2014

Item: Appoint one or two council members to subcommittee to develop process for the collection and organization of citizen complaints.

Background: A suggestion has been made to develop a process and procedure for the collection and organization of citizen complaints that come to the city. One idea is an interactive on-line form that could be used by residents in addition to hard copy written complaints or issues about city operations that are received from time-to-time. This might also be the appropriate opportunity to include positive comments related to city services and operations.

To work out the necessary details, including possible web site redesign and programming to allow for an interactive form, it is suggested that the council appoint one or two of its members to work with the City Clerk on the specifics. Once a specific plan is identified, it could be rolled out to the full Council for consideration and comment prior to final implementation.

Proposed Action: Appoint one or two council representatives to serve on subcommittee to develop process for collection and organization of citizen complaints.